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Title 3—THE PRESIDENT

Proclamation 3293

PRAYER FOR PEACE, MEMORIAL DAY, 1959

By the President of the United States of America

A Proclamation

WHEREAS history records that our Nation was born in struggle and turbulence; that it has survived recurring crises which have tried the souls of men; and that the maintenance of our freedom has required constant vigilance, unified strength, and the willingness of our people to make all necessary sacrifices; and

WHEREAS we are accustomed to join together on one day of each year in grateful tribute to our forebears and to our fellow citizens who have given their lives for us on the field of battle; and

WHEREAS, since we must seek to know, to accept, and to accomplish the will of Almighty God, and since we believe it to be His will that peace on earth shall some day prevail, it is fitting that we pray for Divine help in building a world in which the families of men may prosper together in justice and in honor; and

WHEREAS the Congress, by a joint resolution approved May 11, 1950 (64 Stat. 158), authorized and requested the President to issue a proclamation calling upon the people of the United States to observe May 30 of each year, which is Memorial Day, by praying, each in accordance with his own religious faith, for permanent peace:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby proclaim Memorial Day, Saturday, May 30, 1959, as a day of prayer for permanent peace, and I designate the hour beginning in each locality at eleven o'clock in the morning as the time to unite in such prayer.

I call upon the newspapers, radio, television, and other media of information to assist in this observance. And I urge the people of the United States to join with one another in asking our Creator to bestow His benediction upon our fallen heroes, and in beseeching Him to give us the strength to go forward in confidence with what we have come to think we know—and in the right God gives us to see.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 20th day of May in the year of our Lord nineteen hundred and fifty-
[SEAL] nine, and of the Independence of the United States of America the one hundred and eighty-third.

DWIGHT D. EISENHOWER

By the President:

DOUGLAS DILLON,
Acting Secretary of State.

[F.R. Doc. 59-4428; Filed, May 22, 1959; 1:27 p.m.]

Proclamation 3294

REDEFINING THE BOUNDARIES OF THE ALLEGHENY, GEORGE WASHINGTON, AND JEFFERSON NATIONAL FORESTS

By the President of the United States of America

A Proclamation

WHEREAS it appears to be in the public interest to redefine as hereinafter indicated the exterior boundaries of the Allegheny National Forest in the State of Pennsylvania, established by Proclamation No. 1675 of September 24, 1923 (43 Stat. 1925), the George Washington National Forest in the States of Virginia and West Virginia, established by Proclamation No. 2311 of November 23, 1938 (53 Stat. 2499), and the Jefferson National Forest in the States of Kentucky, Virginia, and West Virginia, established by Proclamation No. 2165 of April 21, 1936 (49 Stat. 3506):

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States, under and by virtue of the authority vested in me by section 24 of the act of March 3, 1891, 26 Stat. 1103, as amended (16 U.S.C. 471), and the act of June 4, 1897, 30 Stat. 34, 36 (16 U.S.C. 473), and upon recommendation of the Secretary of Agriculture, do proclaim

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THE PRESIDENT

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FEDERAL REGISTER

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(1) that the exterior boundaries of the aforementioned national forests shall be located and defined as set forth in the descriptions, and as shown on the diagrams, attached hereto and made a part hereof; (2) that all national-forest lands within those boundaries are hereby reserved as parts of the respective national forests within which they are located; and (3) that all lands within those boundaries which may hereafter be acquired by the United States for national-forest purposes shall, upon acquisition of title thereto, be reserved as parts of the respective national forests within which they are located.

The Massanutten Section (Virginia) of the George Washington National Forest, as described herein, is hereby designated as the Robert Fechner Memorial Forest. Executive Order No. 8673 of February 5, 1941, designating the Massanutten Unit of the George Washington National Forest as the Robert Fechner Memorial Forest, is modified accordingly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 20th day of May in the year of our Lord nineteen hundred and fifty-nine, and of the Independence of the United States of America the one hundred and eighty-third.

[SEAL]

DWIGHT D. EISENHOWER

By the President:

DOUGLAS DILLON,
Acting Secretary of State.

ALLEGHENY NATIONAL FOREST

PENNSYLVANIA

Beginning at the intersection of the east bank of the Allegheny River and the New York-Pennsylvania State line; thence easterly with said line to corner 5 of tract 108; thence southwesterly and westerly with said tract to corner 1 thereof, a point on the Corydon-Foster Township line; thence with said township line southerly to corner 16 of tract 108i, a point at the corner of Bradford, Corydon and Foster Townships; thence easterly with the Bradford-Foster township line to a corner of Bradford Municipal Watershed lands on or near Longitude 78°46' West; thence south on or near said longitude and the Bradford Municipal Watershed lands to a point where said lands extend west of said longitude; thence westerly and southerly with said watershed lands to corner 3 of tract 108j; thence southerly with tracts 108j and 40 to CA corner 79 which is corner to tracts 40, 1Bb, and 449; thence easterly with tract 449 to corner 2 thereof; thence northerly with tract 449 to corner 3 thereof; thence easterly to corner 4 of tract 449, the corner of Warrants 3423, 3424, 3425 and 3426; thence southerly between Warrants 3423 and 3426, 3422 and 3428, 3421 and 3429 and 3420 and 3430 to a point on the Bradford-Lafayette Township line; thence easterly with said township line, passing CA corners 1154 and 1155, to U.S. Highway 219, thence southerly with said Highway to corner 38 of tract 380; thence easterly, northeasterly, southeasterly, westerly, and southerly with said tract to corner 58 thereof; thence southerly a straight line to corner 36 of tract 8; thence continuing southerly, passing corners 37 and 38 of tract 8, to a point on line 42–43 of tract 8 and on the Hamlin-Lafayette Township line; thence easterly with said tract 8 and township line to corner 44 of said tract 8; thence southerly with said tract 8 to corner 45; thence westerly with said tract 8 to corner 46; thence, southerly, passing corner 47 of tract 8, to the southeast corner of Warrant 3077; thence westerly with the line between Warrants 2671 and 3077 to U.S. Highway 219; thence southwesterly with said highway to a point due east of the corner of Lots 341, 342, 343, and 344; thence westerly to said Lot corner; thence southerly along Lot lines to the corner of Lots 423 and 424 in the line of Warrant 3754; thence easterly with Warrant lines to Wilson Run; thence southeasterly down said run to the line between Warrants 3044 and 3257; thence westerly with said Warrant line to the corner of Warrants 3044, 3242, 3256, and 3257; thence southwesterly with line between Warrants 3256 and 3257 to the corner of Warrants 3256, 3257, 3260 and 3261 on the Jones-Ridgway Township line; thence westerly with said Township line to line 20–21 of the Armstrong Forest Company tract 5a as proposed; thence southwesterly with said tract 5a to the Carlson-Ridgway road; thence southerly with said road to corner 26 of tract 1m; thence westerly, southerly and easterly with tracts 1m, 698 and 3f to the West bank of Clarion River at corner 2 of tract 3f; thence southwesterly down said river to a point in the west line of Warrant 5700 or said line projected southerly, Barnett Township, Forest County; thence northerly along the west line of Warrant 5700 to the south line of Warrant 3144; thence westerly with said warrant line to the southwest corner of Tract No. 806 as proposed; thence northerly along the west lines of Tracts Nos. 806 and 75 as proposed to the south boundary of Warrant 3145, thence westerly with the south boundary of Warrant 3145 to its southwest corner; thence northerly with the West lines of Warrants 3145 and 3147 to corner 7 of Tract 67 II, thence northerly and easterly with the west boundaries of Tract 67 II and 458 to the southwest corner of Warrant 3164, Jenks Township; thence northerly with the West lines of Warrants 3164 and 3168 to corner 1 of Tract 172a; thence northerly and easterly with Tracts 172a and 543 to corner 4 of tract 543; thence northerly to a point about 6.00 chains east of CA corner 563; thence in a general westerly and southerly direction passing CA corner 563 and with lines of tracts 127a, 132c, 7a–I, 132b, 159, 172 and 130 to corner 1 of tract 130; thence southwesterly with line between Warrants 5143 and 5145 passing corner 4 of tract 1p, to CA corner 998 at corner of Green, Jenks and Kingsley Townships and corner of State Game Lands; thence northwesterly and southwesterly with State Game Lands to the southern corner of Warrant 5509; thence northwesterly with said Warrant to easternmost corner of Warrant 3818 on line of Warrant 5509; thence westerly through Warrant 3818 to western line thereof at a point approximately 40.00 chains south of the northwestern corner of said warrant; thence northerly with Warrant lines to Little Coon-Creek; thence northwesterly down said Creek to Tionesta Creek; thence down said Creek to the southwestern line of Warrant 3691; thence northwesterly with Warrants 3691 and 3692 to the western corner of 3692; thence northwesterly a straight line to the mouth of Tubbs Run; thence northeasterly up the east side of the Allegheny River to a point opposite the mouth of Brokenstraw Creek; thence crossing the Allegheny River to the southern corner of the Biddle Estate tract #443b on the north bank of said river at the mouth of Brokenstraw Creek; thence northwesterly, northeasterly and southeasterly with said tract to its eastern point on Allegheny River; thence crossing said River and up the south side thereof to the mouth of Sill Run, thence southerly up said Run to State Highway 337; thence southerly with State Highway 337 and easterly with Township Roads 417 and 522 to a point westerly of corner 2 of Tract 751; thence easterly to said corner 2; thence easterly and northerly with line of tracts 751 and 202 to the Allegheny River at Warren; thence easterly and northerly up the east side of said river to the point of beginning.

GEORGE WASHINGTON NATIONAL FOREST

VIRGINIA AND WEST VIRGINIA

Beginning at a point on the Virginia-West Virginia State line at the corner of Monroe County, West Virginia and Alleghany and Craig Counties, Virginia; thence northwesterly with the Virginia-West Virginia State line to corner common to Monroe and Greenbrier Counties, West Virginia, and Alleghany County, Virginia.

Thence northeasterly with the Virginia-West Virginia State line to Corner 11 of Tract #361–III a point on top of Allegheny Mountain in the Virginia-West Virginia State line; thence easterly and northeasterly with Tract #361–III to corner 1 thereof; thence westerly and northerly along height of land and old road to U.S. Highway #250; thence easterly with U.S. Highway #250 to Back Creek; thence southwesterly with Back Creek to Highland-Bath County line; thence southeasterly with Highland-Bath County line to Cow Pasture River; thence northeasterly up Cow Pasture River and down South Fork of South Branch of Potomac River to mouth of Brushy Fork in Pendleton County, West Virginia at Wilfong Church; thence southeasterly up Brushy Fork to Flesher Run; then easterly with Flesher Run to a point in original line 58–59 of Tract #16, thence northerly and easterly with Tract #16 to Corner 63 thereof; thence northeasterly in a straight line to Corner 71 of Tract #16; thence northerly along the original line 71–72 of Tract #16 to a point on Forest Highway #5 at Lick Run; thence westerly with Forest Highway #5 to South Fork of South Branch of Potomac River; thence northeasterly down South Fork of South Branch of Potomac River to mouth of Stony Run northeast of Oak Flat, West Virginia; thence northeasterly in a straight line to Rough Run crossing of West Virginia State Route #3; thence northeasterly with said Route #3 to Hardy-Pendleton County line; thence southeasterly with said county line to Virginia-West Virginia State line; thence northeasterly and southeasterly with said State line to intersection of Virginia State Route #259 (West Virginia State Route #58); thence a straight line northeasterly to Corner 37 of Tract #1e; thence with said tract northeasterly to Corner 34 thereof; thence a straight line northeasterly to Corner 8 of Tract #51; thence northeasterly with said Tract #51 to Corner 2 thereof; thence a straight line northeasterly to Corner 5 of Tract #53; thence continuing northeasterly with lines of Tracts #53, 127, 30, 52 and 198 to Corner 6 of Tract #198; thence a straight line northeasterly to intersection of West Virginia State Route #14 and State Route #58 in Lost River; thence a straight line southeasterly to Corner 7 of Tract #454; thence a straight line northeasterly to Corner 3 of Tract #132; thence continuing northeasterly with Tracts #132 and 131a to Corner 1 of Tract #131a; thence in a straight line northeasterly to Corner #14 of Tract #132; thence northeasterly with Tract #132 to Corner 17 thereof; thence a straight line northeasterly to the Hommon triangulation station; thence a straight line northeasterly to intersection of Three Springs Run and Lost River near McCauley, West Virginia; thence northeasterly down Lost River, passing the River Sinks, to a point northwesterly of Corner 6 of Tract #135; thence a straight line southeasterly to Corner 6 of Tract #135; thence easterly with Tract #135 to Corner 4 thereof; thence a straight line southeasterly to Corner 1 of Tract #492; thence easterly with Tract #492 and northeasterly with Tract #452 to Corner 4 thereof; thence a straight line southeasterly to Corner 22 of Tract #91a; thence southeasterly and northeasterly with Tracts #91a and #91–I to Corner 8 of Tract #91–I; thence a straight line northerly to Corner 2 of Tract #99g; thence northwesterly with said Tract #99g to Corner 1 thereof; thence a straight line southwesterly to Corner 2 of Tract #491; thence northwesterly with said Tract #491 to Corner 4 thereof; thence a straight line northwesterly to Cacapon River; thence northeasterly down Cacapon River, entering Hampshire County, West Virginia, to West Virginia State Route #16 (Capon Springs Road); thence southeasterly with said road passing Capon Springs Resort to point where West Virginia State Route #16 enters Tract #81c; thence southeasterly and southwesterly with Tract #81c to a point where West Virginia State Route #16 leaves said tract; thence southerly with West Virginia State Route #16 and Virginia State Route #609, passing from Hampshire County, West Virginia into Frederick County, Virginia, to State Route #55; thence easterly with State Route #55 to State Route #603; thence southerly with State Route #603 to State Route #600; thence southwesterly with State Route #600 to junction with State Route #602; thence a straight line southwesterly to Corner HPH 32 of Tract #70; thence southerly with said Tract #70, enter-

ing Shenandoah County, to Corner HPH 25 thereof; thence a straight line southwesterly to Corner 4 of Tract #75b–2; thence a straight line southerly to Corner 2 of Tract #75a; thence a straight line southeasterly to Corner 3 of Tract #361; thence a straight line southeasterly to Corner 10 of Tract #75c; thence southeasterly with said Tract #75c to Corner 11 thereof; thence continuing southeasterly in the same straight line to a point northeast of Corner 4 of Tract #80; thence a straight line southwesterly to Corner 4 of Tract #80; thence a straight line southwesterly to Corner 1 of Tract #84; thence southwesterly with said Tract to Corner 6 thereof; thence a straight line southwesterly to Corner 26 of Tract #78a; thence a straight line southwesterly to Corner 102 of Tract #100a; thence a straight line southwesterly to Corner 154 of Tract #100a; thence with said tract to Corner 155 thereof; thence a straight line southwesterly to Corner 160 of Tract #100a; thence a straight line westerly to Corner 172 of Tract #100a; thence a straight line westerly with said Tract to Corner 174 thereof; thence a straight line southwesterly to Corner 23 of Tract #100b; thence a straight line southwesterly to Corner 29 of Tract #100b; thence southwesterly with Tracts #100b and #148 to Corner 3 of Tract #148; thence a straight line westerly to Corner 2 of Tract #100b; thence with said Tract #100b westerly and northeasterly to Corner 10 thereof; thence a straight line north to State Route #691; thence northwesterly with State Route #691 to State Route #717; thence a straight line southwesterly to Corner 208 of Tract #100a; thence a straight line westerly to Corner 24 of Tract #100a; thence a straight line southerly to Corner 36 of Tract #100a; thence a straight line southwesterly to Junction of State Route #717 and Bull Gap Road; thence southwesterly with State Route #717 to State Route #720; thence a straight line southwesterly to Corner 12 of Tract #113; thence southwesterly with said Tract #113 to State Route #717; thence southerly with State Route #717 to State Route #263 at Powder Springs; thence southwesterly with State Route #263 to Orkney Springs, Virginia, and State Route #610; thence southwesterly with State Route #610 to intersection with boundary of Tract #163; thence southeasterly with said Tract #163 to Corner 8 thereof; thence a straight line southerly entering Rockingham County to Corner 10 of Tract #608; thence southeasterly and southwesterly with said tract to Corner 5 thereof; thence a straight line southerly to Corner 5 of Tract #30c–VI; thence southwesterly with said Tract to Corner 1 thereof; thence a straight line southwesterly to Corner 6 of Tract #30c–V; thence southwesterly with said tract to the lower crossing of Sours Run on line 6–7 of Tract #30c–V; thence continuing southwesterly down Sours Run and Reunions Creek to Kline Hollow; thence a straight line northwesterly to Corner 11 of Tract #662f; thence a straight line northwesterly to Corner 23 of Tract #32b; thence a straight line southeasterly to junction State Route #817 and unnumbered road at Reedy Run about 1¾ miles southwest of Genoa; thence southerly with State Route #817 to Shoemaker River; thence a straight line easterly to Corner 2 of Tract #315a; thence northeasterly with Tracts #315a and #662h to Corner 3 of Tract #662h; thence a straight line northeasterly to Corner 2 of Tract #662h–I; thence northeasterly with said tract to Corner 3 thereof, a point in State Route #612; thence northeasterly with State Route #612 to Hebron Church; thence a straight line southeasterly to Corner 8 of Tract #668; thence southeasterly with said Tract #668 to Corner 7, thereof; thence continuing southeasterly on a projection of line 8–7 of Tract #668 to a point in a line extending from highway bridge over the Shenandoah River at Cootes Store to Corner 27 of Tract #30d; thence a straight line southwesterly to the said corner 27 of Tract #30d; thence a straight line southwesterly to Corner 3 of Tract #336; thence southwesterly with said Tract to Corner 6 thereof; thence a straight line southwesterly to Corner 1 of Tract #16; thence a straight line southwesterly, entering Augusta County to Corner 12 of Tract #8; thence southwesterly with said Tract to Corner 13 thereof; thence a straight line southwesterly to Corner 7 of Tract #3, thence southwesterly with said Tract to Corner 8 thereof; thence in a straight line southwesterly to Corner 3 of Tract #47–I, thence southwesterly with said Tract to Corner 7 thereof; thence a straight line southwesterly to Corner 14 of Tract #552; thence a straight line southwesterly to Corner 4 of Tract #552; thence a straight line southwesterly to Corner 5 of Tract #504; thence southwesterly with said Tract to Corner 4 thereof; thence a straight line southwesterly to a point on the Chesapeake and Ohio Railroad in Buffalo Gap southeasterly of the junction of State Route #42 and State Route #688; thence southwesterly with the C&O Railroad to a point southeast of Corner 6 of Tract #518; thence a straight line southwesterly to Corner 6 of Tract #519; thence a straight line southwesterly to Corner 16 of Tract #488; thence southwesterly with said Tract #488 to Corner 14 thereof; thence a straight line southwesterly to Corner 9 of Tract #488; thence southwesterly with said Tract to Corner 8 thereof; thence a straight line southwesterly to Corner 4 of Tract #516; thence a straight line southwesterly to Corner 1 of Tract #484; thence a straight line southwesterly to Corner 5 of Tract #489 in or near the Augusta-Rockbridge County Line; thence southeasterly with said County Line to State Route #42; thence southwesterly with State Route #42, through Rockbridge County, to State Route #39 at Goshen thence southwesterly with State Route #39 to State Route #780; thence southwesterly with State Route #780 about 3 miles to junction of an old road from the south; thence a straight line southwesterly to Corner 27 of Tract #1310a; thence southerly with said Tract #1310a to Corner 29 thereof; thence a straight line southwesterly to Corner 4 Tract #1310; thence southwesterly with said tract to U.S. Highway #60; thence following U.S. Highway #60 southeasterly to State Route #646 at Denmark; thence southerly with State Route #646 to State Route #251 at Collierstown; thence northwesterly with State Route #251 to top of North Mountain and Alleghany-Rockbridge County line; thence southwesterly with Alleghany-Rockbridge and Botetourt-Rockbridge County line and top of North Mountain to the western corner of Rockbridge County on North Mountain; thence continuing southwesterly into Botetourt County along top of North Mountain and Sandbank Mountain to a point in Mill Creek about one eighth mile below mouth of Lime Stone Hollow; thence southwesterly to and along Sheets and Rathole Mountains to U.S. Highway #220 about three fourths mile north of Eagle Rock; thence northwesterly to and with State Route #43 to State Route #621 at Strom; thence northwesterly with State Route #621 to Alleghany-Botetourt County line; thence southwesterly with Alleghany-Botetourt County line to the corner of Alleghany-Botetourt-Craig Counties; thence westerly with Allegheny-Craig County line to the point of beginning.

Blue Ridge Mountain Section

(Virginia)

Beginning at a point in U.S. Highway #501 opposite the junction of the Maury River with the James River near Glasgow, Rockbridge County, Virginia; thence northeasterly with U.S. Highway #501 to State Route #607; thence northwesterly with State Route #607 to Davidson Run; thence southwesterly with said run to Maury River; thence northerly with said River to Milliron Run; thence southeasterly with Milliron Run to Corner 3 of Tract #2a–III; thence southeasterly with Tracts #2a–III, #2a and #2 to U.S. Highway #501; thence northeasterly with U.S. Highway #501 to Lowry Run, just south of Buena Vista, Virginia; thence southeasterly up Lowry Run to line 7–8 of Tract #7; thence northeasterly with said Tract #7 to Corner 2 thereof; thence a straight line northwesterly to Corner 18 of Tract #3; thence northeasterly with said tract to Corner 16–H thereof; thence a straight line northeasterly to Corner 16–A of Tract #3; thence northeasterly with said tract to Corner #16 thereof; thence a straight line northeasterly to Corner 7 of Tract #13; thence northeasterly with said tract to South Fork Chalk Mine Run; thence down said Run to Chalk Mine Run; thence northerly up said Run to boundary of Tract #13; thence northerly with said Tract to Corner 24 thereof; thence a straight line northwesterly to a point at confluence of Stony Run and South River, about 1¼ miles southwest of Cornwall; thence northeasterly up South River and Saint Marys River, entering Augusta County, to State Route #608, about ½ mile northeast of Pkin; thence northeasterly with State Route #608 to State Route #610 approximately ½ mile southeast of Stuarts Draft, Virginia; thence southeasterly with State Route #610 to Back Creek at Sherando; thence northerly down Back Creek to State Route #624; ¾ mile east of Lyndhurst; thence northeasterly with State Route #624 to a point northwest of Corner 1 of Tract #546; thence a straight line southeasterly passing through Corner 1 of Tract #546 to Corner 2 of said tract; thence easterly with said Tract #546 to Corner 3 thereof; thence a straight line southeasterly passing through Swannanoa triangulation station to a point on State Route #609; thence southwesterly with State Route #609 to State Route #610; thence a straight line southeasterly, entering Nelson County, to junction of State Route #610 with State Route #151; thence with State Route #151 south and southwesterly to State Route #627; thence southwesterly with State Route #627 to State Route #664; thence westerly with State Route #664 to State Route #680; thence southwesterly with State Route #680 to Cub Creek, about one mile south of Ramsey Gap; thence a straight line westerly to Corner 4 of Tract #642; thence a straight line southwesterly to Corner 18 of Tract #119; thence a straight line southwesterly to Corner 1 of Tract #495; thence a straight line southwesterly, entering Amherst County, to Corner 38 of Tract #538f; thence southwesterly with said tract to Corner 37 thereof; thence a straight line southwesterly to junction of State Routes #621 and #625, about 2 miles west of Lowesville; thence southerly with Route #625 to State Route #627; thence westerly with State Route #627 to State Route #617; thence southerly with State Route #617 to State Route #631; thence southwesterly with State Route #631 to U.S. highway #60; thence westerly with U.S. Highway #60 to State Route #635 at Dodd's Store; thence a straight line southwesterly to Corner 3 of Tract #19; thence southwesterly with Tracts #19 and #117 to Corner 6 of Tract #117; thence a straight line southwesterly to Corner 2 of Tract #16; thence a straight line southerly to junction of State Route #647 and State Route #649, about 2 miles southwest of Pedlar Mills; thence westerly with State Route #647 to Corner 2 of Tract #507; thence southwesterly with said tract to Corner 9 thereof; thence a straight line southwesterly to the James River at the mouth of Thomas Mill Creek; thence northwesterly up James River

with Amherst-Bedford County line to the junction of James River and Maury River; thence a straight line northeasterly to the point of beginning.

Laurel Fork Section

(Highland County, Va.)

Beginning in the Virginia-West Virginia State Line at the corner common to Pocahontas and Pendleton Counties, West Virginia, and Highland County, Virginia, on top of the Allegheny Mountain; thence southeasterly with Pendleton-Highland County line, also State line, to Straight Fork; thence southwesterly up Straight Fork, entering Highland County, Virginia, to State Route #642; thence westerly with State Route #642 to Virginia-West Virginia State line; thence northerly with State line to the point of beginning.

Massanutten Section

(Virginia)

Beginning at a point where Virginia State Route #675 crosses the North Fork of the Shenandoah River about one mile east of Edinburg, Shenandoah County, Virginia; thence northeasterly down the river to Corner 3 of Tract #410 on east bank of river; thence a straight line northeasterly to Corner 9 of Tract #1a–1b; thence northeasterly with Tracts #1a–1b, 1a–II and 1a–I to Corner 3 Tract #1a–I; thence a straight line northeasterly to Corner 5 of Tract #65; thence northeasterly with said tract to Corner 4 thereof; thence a straight line northeasterly to Corner 6 of Tract #68i; thence northeasterly with said Tract to Corner 7 thereof; thence a straight line northeasterly to Corner 33 of Tract #68; thence a straight line northeasterly to Corner 26 of Tract #68; thence northeasterly with said Tract to Corner 20 thereof; thence a straight line northeasterly to Corner 2 of Tract #160; thence northeasterly with said Tract to Corner 3 thereof; thence a straight line northeasterly to Corner 6 of Tract #160; thence a straight line northeasterly to junction of State Routes #1201 and #55, about 1 mile southeast of Strasburg, Virginia; thence easterly with State Route #55, entering Warren County, to State Route #678 at Waterlick; thence southwesterly with State Route #678 to State Route #613, about ¼ mile northwest of fish hatchery; thence southerly with State Route #613 to a point opposite a big bend in the South Fork of Shenandoah River called The Point; thence a straight line easterly to said river; thence southwesterly up the river, entering Page County to a point in said river opposite end of old road, about 1¾ mile west of Compton; thence northwesterly and southwesterly with said old road to State Route #684; thence southwesterly with State Route #684 to Corner 8 of Tract #79; thence southwesterly with said Tract to Corner 13 thereof; thence a straight line southwesterly to Corner 11 of Tract #17a; thence a straight line southwesterly to Corner 2 of Tract #583; thence southwesterly with said Tract to Corner 8 thereof; thence a straight line southwesterly to Corner 4 of Tract #37i; thence a straight line easterly to a point where State Route #615 leaves U.S. Highway #211; thence a straight line southwesterly to Corner 9 of Tract #97; thence southwesterly with Tracts #97, #39 and #90 to Corner 23 of Tract #90; thence a straight line southwesterly to Corner 19 thereof; thence southwesterly with said Tract to Corner 13 thereof; thence a straight line southwesterly to Corner 10 of Tract #90; thence southwesterly with said Tract to Corner 9 thereof; thence a straight line southwesterly to Corner 5 of Tract #90; thence southwesterly with said Tract to Corner 54 thereof; thence a straight line due south to Page-Rockingham County Line; thence northwesterly with said county line to Tract #90; thence southerly with said Tract to Corner 50 thereof; thence a straight line southeasterly to Corner 5 of Tract #828; thence southwesterly with said Tract to Corner 6 thereof; thence a straight line southwesterly to Corner 11 of Tract #595; thence southwesterly with said Tract to Corner 9 thereof; thence a straight line southwesterly to Corner 45 of Tract #90; thence a straight line southwesterly to Kaylor Knob; thence a straight line northwesterly to Lairds Knob; thence a straight line northwesterly to junction of State Routes #723 and #722; thence northeasterly and northwesterly with State Route #722 to State Route #620; thence northeasterly with State Route #620, entering Shenandoah County, to U.S. Highway #211; thence easterly with said Highway approximately one tenth mile to a point where State Route #620 leaves U.S. Highway #211; thence a straight line northeasterly to junction of old road and State Route #699 about ¼ mile southeast of Walkers Chapel; thence a straight line northeasterly to Corner 10 of Tract #600; thence northerly with said Tract to Corner 1 thereof; thence a straight line northeasterly about 1 mile to a bend in North Fork Shenandoah River; thence northerly and westerly down said River to the point of beginning.

JEFFERSON NATIONAL FOREST

KENTUCKY, VIRGINIA AND WEST VIRGINIA

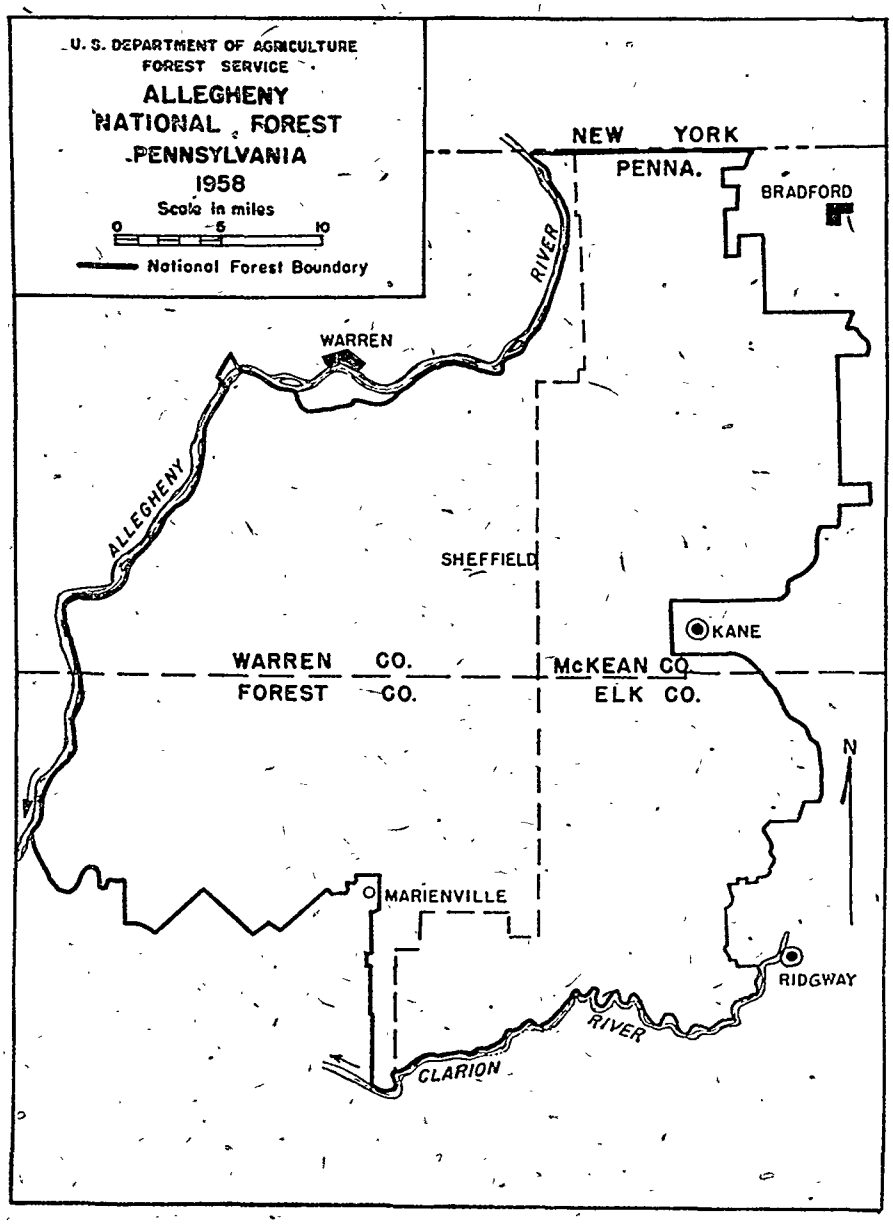
Unit I

Beginning at a point in the center of James River on the Amherst-Bedford County line and midway between the mouth of Battery and Otter Creeks; thence to and up Battery Creek through Bedford County to line 3–4 of tract 218; thence with tract 218, passing corners 4, 5 and 6 thereof, to where Battery Creek crosses line 6–7; thence up Battery Creek to corner 1 of tract 620; thence with tract 620 to corner 4 thereof on an old road; thence with old road to the eastern end of tract 327; thence southerly a straight line to corner 1 of tract 58; thence around the eastern side of tract 58 to corner 8 thereof which is also corner 44 of tract 50; thence southwesterly with tract 50 to corner 28 thereof; thence southeasterly a straight line to the junction of Routes 638 and 640 about one-half mile northwest of Sedalia; thence westerly with Route 640 approximately eight miles to a point opposite the mouth of Dry Branch; thence northwesterly to and up Dry Branch to corner 1 of tract 147; thence in general southwesterly and northwesterly directions with tracts 147, 146, 67c, 237, 237a, 811, 820, 27a, 810, 67b, 148, 69, 150, 115, 67d, 813 and A–1 to corner 2 of tract A–1 on old road; thence northwesterly with old road to the Bedford-Botetourt county line on top of the Blue Ridge; thence northwesterly with said county line and Blue Ridge to corner 4 of tract 88; thence northerly with tract 88 to corner 5 thereof; thence northwesterly a straight line to corner 7 of tract 82; thence northwesterly with tract 82 to corner 5 thereof on Route 695; thence southerly with Route 695 to its junction with Route 680; thence northwesterly with Route 680 to its junction with Route 693; thence southwesterly with Route 693 to its junction with Route 697; thence northwesterly and southwesterly with Route 697 to its junction with U.S. Highway 460; thence southwesterly with U.S. Highway 460 crossing the Bedford-Botetourt county line and continuing through Botetourt county, to its junction with Route 605; thence northwesterly with Route 605 to its junction with Route 652; thence northwesterly with Route 652 to its junction with the Norfolk & Western Railroad; thence northeasterly with the Norfolk & Western Railroad to its junction with Route 651 at Troutville; thence northeasterly with Route 651 to Stony Battle Creek; thence easterly a straight line to the southwest end of Route 711; thence northeasterly with Route 711 to its junction with Route 647; thence easterly with Route 647 to Rabbit Run; thence down Rabbit Run to the Norfolk & Western Railroad; thence northeasterly with the Norfolk & Western Railroad to Route 645; thence northeasterly with Route 645 to its junction with Route 643; thence southeasterly with Route 643 approximately seven-tenths mile to an unnamed fork of Alex Run; thence northeasterly with said unnamed fork approximately one-half mile to a low divide; thence northeasterly down an unnamed fork of Laurel Run to the junction of Routes 617 and 625; thence southeasterly and northeasterly with Route 625 to its junction with Route 43; thence northerly with Route 43 to the Norfolk & Western Railroad; thence northeasterly with the Norfolk & Western Railroad to Route 622 at Solitude; thence northerly with Route 622 to the center of James River below Rocky Point; thence down the center of James River to the beginning.

Unit II

Beginning at a point on the Virginia-West Virginia State line at the corner of Monroe County, West Virginia and Alleghany and Craig Counties, Virginia; thence with the Alleghany-Craig County line to the corner of Alleghany, Botetourt and Craig Counties; thence with the Alleghany-Botetourt County line to Route 621; thence southeasterly through Botetourt County with Route 621 to its intersection with Route 43 at Strom; thence southeasterly with Route 43 to U.S. Highway 220 about three-fourths of a mile north of Eagle Rock; thence northeasterly with the height of land, to and along Rathole Mountain and Sheets Mountain, to Mill Creek about one-eighth of a mile below the mouth of Limestone Hollow; thence northeasterly with the height of land, to and along Sandbank Mountain and North Mountain to the western corner of Rockbridge County on North Mountain; thence northeasterly, along the top of North Mountain with the Botetourt-Rockbridge County line and Rockbridge-Alleghany County line to Route 251 on top of said mountain; thence southeasterly with Route 251 through Colliersstown to its intersection with Route 644; thence southerly with Route 644 to its junction with Route 612; thence southerly with Route 612 to its junction with Route 662, thence southerly with Route 662 to its junction with Route 661; thence southerly with Route 661 to its junction with Route 611; thence southerly with Route 611, crossing the Botetourt-Rockbridge County line and through Botetourt County to its intersection with U.S. Highway 11; thence southwesterly with U.S. Highway 11 to the center of the bridge across James River at Buchanan; thence up the center of James River to U.S. Highway 220 at Eagle Rock; thence southwesterly with U.S. Highway 220 to its junction with Route 681; thence southwesterly with Route 681 to its junction with Route 682; thence northwesterly with Route 682 to its junction with Route 683; thence southwesterly with Route 683 to its junction with Route 655; thence southwesterly with Route 655 to its junction with Route 666; thence southwesterly with Route 666 to its junction with Route 600; thence southwesterly with Route 600, crossing the Botetourt-Roanoke County line and through Roanoke County, to its junction with Route 114; thence southwesterly with Route 114 to its junction with Route 123; thence northwesterly with Route 123 via Catawba Sanatorium to its junction with Route 698; thence southwesterly with Route 698 to its junction with Route 311; thence southwesterly with Route 311 to its junction with Route 624; thence southwesterly with Route 624, crossing the Montgomery-Roanoke County line and through Montgomery County to its junction with Route 649; thence westerly with Route 649 to Toms Creek; thence down Toms Creek to Route 624; thence southwesterly with Route 624 to its junction with

Route 652; thence with Route 652 to its junction with Route 625; thence westerly crossing the New River and the Montgomery-Pulaski County line at McCoys Ferry to Route 600; thence southerly through Pulaski County with Route 600 to Back Creek; thence up Back Creek approximately one-half mile southwest of its junction with Route 643; thence westerly approximately one mile to Bentleys Branch of Peaks Creek; thence down Bentleys Branch of Peaks Creek to Route 99; thence with Route 99 to its junction with Route 641; thence southwesterly with Route 641 to corner 3 of tract 658; thence southerly with tract 658 to corner 4; thence easterly with tract 318 to corner 110; thence southeasterly and southwesterly with tract 318 to corner 124; thence southerly approximately one hundred feet in a straight line to the Norfolk & Western Railroad; thence easterly with the Norfolk & Western Railroad to corner 1 of tract 369; thence southerly with tract 369 to corner 3; thence easterly in a straight line to corner 9 of tract 369; thence with tract 369 to corner 10; thence easterly in a straight line to corner 13 of tract 369; thence with tract 369 to corner 17 on Route 610; thence southwesterly with Route 610 to a point where it enters tract 372; thence southerly with tract 372 to corner 2; thence southerly crossing the Pulaski-Wythe County line and through Wythe County to Route 614; thence westerly with Route 614 to its junction with Route 613; thence northerly with Route 613 to its junction with Route 610; thence westerly with Route 610 to its junction with Route 611; thence northwesterly approximately one mile with Route 611 to its junction with an unnumbered road; thence southerly with unnumbered road to Route 610 approximately one-half mile west of Max Meadows; thence northwesterly with Route 610 to Cove Creek about three miles west of Max Meadows; thence up Cove Creek to Route 603; thence northerly with Route 603 to its junction with Route 600; thence southwesterly with Route 600 to its junction with Route 659; thence southwesterly with Route 659 to its junction with Route 661; thence southwesterly with Route 661 to its junction with Route 600; thence southwesterly with Route 600 to its junction with U.S. Highway 52; thence with U.S. Highway 52 to its junction with Route 90; thence southwesterly with Route 90 to its junction with Route 617; thence southwesterly with Route 617, crossing the Smyth-Wythe County line and through Smyth County, to a point south of the southeasterly corner of Hungry Mother State Park; thence northerly and westerly to and with lines of said park to Route 16; thence northerly with Route 16 to its junction with Route 610; thence northeasterly with Route 610, crossing the Bland-Smyth County line and through Bland County to its junction with the old road leading through Rich Valley; thence northeasterly with said old road to its junction with Route 622; thence northeasterly in a straight line approximately six and one-half miles up the southern side of Foglesong Valley to Route 622, approximately one mile south of Effna; thence easterly in a straight line to the junction of U.S. Highway 52 and Route 617; thence southeasterly and northeasterly with Route 617 to its junction with Route 603 about one and one-fourth miles south of Bland; thence northwesterly with Route 603 to its junction with Route 604; thence northeasterly with Route 604 to its junction with Route 608; thence southeasterly and northeasterly with Route 608 to its junction with an old road at about one and one-half miles south of Crandon Post Office; thence easterly with old road to its junction with Route 670; thence northeasterly with Route 670, crossing the Bland-Giles County line and through Giles County, to its junction with Route 667; thence northeasterly with Route 667 to its junction with an old road about one mile southeast of White Gate Post Office; thence northeasterly a straight line to point in center of bridge where Route 100 crosses Walker Creek; thence northeasterly with an old road passing the Springdale School to its junction with Route 622; thence northeasterly with Route 622 to New River at the mouth of Bear Spring Branch; thence to and up the center of New River to the corner of Giles-Pulaski and Montgomery Counties; thence northeasterly with Giles-Montgomery County line to the corner of Craig, Giles and Montgomery Counties; thence northeasterly with the Craig-Montgomery County line to a point on line 9–10 of tract 565a; thence northeasterly and southeasterly with said tract to corner 1 on the Craig-Montgomery County line; thence northeasterly with county line passing corners of tract 35a and 565 to corner 24 of tract 565; thence leaving the Craig-Montgomery County line and through Craig County with tract 565, passing corners 25–28 thereof, to a point on top of Sinking Creek Mountain on line 28–29 of tract 565; thence northeasterly with the top of Sinking Creek Mountain to corner 18 of tract 91; thence northwesterly and northeasterly with tract 91 to corner 22 thereof on top of Sinking Creek Mountain; thence continuing northeasterly with the top of said mountain, to corner 1 of tract 513; thence with tract 513 passing corners 2 and 3 to corner 4 thereof on top of Sinking Creek Mountain; thence northeasterly with the top of Sinking Creek Mountain to corner 229 of tract 35a; thence northerly with tract 35a passing corners 230 and 1 thereof to corner 2 of tract 35a; thence westerly a straight line to corner 7 of tract 20; thence northwesterly with tract 20 to the top of Johns Creek Mountain; thence southwesterly with the top of Johns Creek Mountain passing corners of tract 20 to corner 19 of said tract; thence southwesterly and northwesterly with tract 20 to corner 22 thereof on top of Johns Creek Mountain; thence southwesterly with the top of Johns Creek Mountain to corner 5 of tract 10a–II; thence southwesterly with tracts 10a–II, 10a, 357 and 10c to corner 3 of tract 10c; thence due south to a point on Route 629; thence southerly with Route 629 to the junction with Route 42; thence southerly with Route 42 about one-tenth of a mile to its intersection with an old road; thence westerly with said old road approximately eight tenths mile; thence southwesterly in a straight line to corner 1 of tract 10–IV;



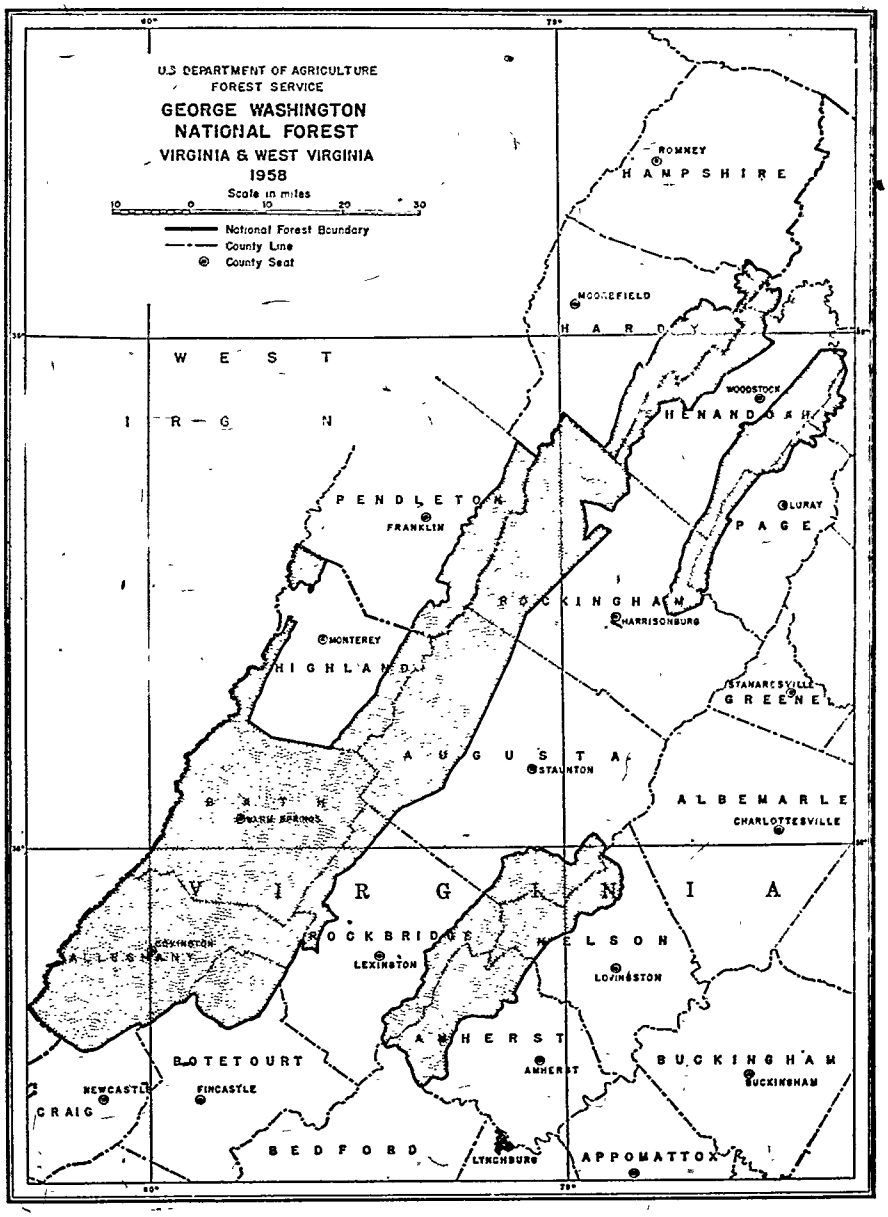
thence southwesterly and northwesterly with tract 10–IV to corner 6 of said tract; thence due west a straight line to a point on the Craig-Giles County line; thence northwesterly with the Craig-Giles County line to Route 601; thence southwesterly through Giles County with Route 601 to its intersection with Route 600; thence southwesterly with Route 600 to its intersection with Route 602; thence southwesterly with Route 602 approximately two and one quarter miles; thence northwesterly a straight line to the junction of Route 623 and an unnumbered road on Little Stony Creek; thence northwesterly a straight line to the junction of Routes 628 and 641; thence northwesterly and southwesterly with Route 641 to a point southeast of Turnhole Knob; thence northwesterly a straight line across Turnhole Knob to the top of Peters Mountain; thence northeasterly on the top of Peters Mountain to the Virginia-West Virginia State line; thence northeasterly with the Virginia-West Virginia state line and Peters Mountain to a point on said line approximately two miles southeast of Zenith, West Virginia; thence leaving the state line and with Peters Mountain passing through Monroe County, West Virginia, to the place of beginning.

Unit III

Beginning at a point on the West Virginia-Virginia state line common to Mercer and Giles Counties and approximately two miles west of New River; thence through Giles County a straight line due south to Route 641; thence a straight line easterly to corner 179 of tract 106; thence with tract 106 passing corners 180 to 208 and corners 1 to 17 of said tract to corner 2 of tract 729; thence easterly, southerly and westerly with tract 729 to corner 19 of tract 106; thence with tract 106 passing corners 20 to 39 of said tract to corner 1 of tract 111; thence southwesterly with tract 111 on top of Brushy Mountain to corner 70 of tract 106 and the Giles-Bland County line; thence through Bland County southwesterly with tract 106 passing corner 82 of said tract to a point on Route 606; thence southerly with Route 606 to its junction with Route 42; thence southwesterly with Route 42 to the Bland-Smyth County line; thence continuing southwesterly, through Smyth County, with Route 42 to its junction with Route 91 at Broadford Post Office; thence southwesterly with Route 91 to its junction with Route 633; thence northwesterly and southwesterly with Route 633 to its junction with Route 613; thence northwesterly and southwesterly with Route 613, to the Smyth-Washington County line; thence southwesterly through Washington County with Route 613 to its junction with Route 80; thence southwesterly with Route 80 to its junction with Route 689; thence southwesterly with Route 689 to its junction with U.S. Highway 19; thence northwesterly with U.S. Highway 19 to the Russell-Washington County line on the top of Clinch Mountain; thence northeasterly along the top of Clinch Mountain and Rich Mountain with the Washington-Russell County line to a point where said county line leaves Rich Mountain; thence through Russell County northeasterly with the top of Rich Mountain and Beartown Mountain to tract 263; thence northerly and easterly with tract 263 to the top of Clinch Mountain near Mutters Gap; thence northeasterly with the top of Clinch Mountain, crossing the Russell-Tazewell County line through Tazewell County along the top of Spur Short Mountain to the height of land at head of Tumbling Creek; thence southwesterly with the height of land between Tumbling Creek and Wards Cove to the common corner of Russell, Smyth and Tazewell Counties; thence northeasterly with the Tazewell-Smyth County line and the top of Clinch Mountain, through Tazewell County to Hutchinson Rock on Garden Mountain; thence southeasterly, northeasterly and northwesterly with Garden Mountain around Burkes Garden to the junction of Routes 666 and 87; thence northwesterly and southwesterly with Route 87 to its junction with Route 61; thence southwesterly with Route 61 to its junction with U.S. Highway 19; thence northeasterly with U.S. Highway 19 about thirteen miles to its junction with Route 650 near St. Clair School; thence northeasterly with Route 650 to its junction with Route 85; thence northeasterly with Route 85 to the Virginia-West Virginia state line near Bluefield; thence southeasterly and northeasterly with the Virginia-West Virginia state line to the point of beginning.

Unit IV

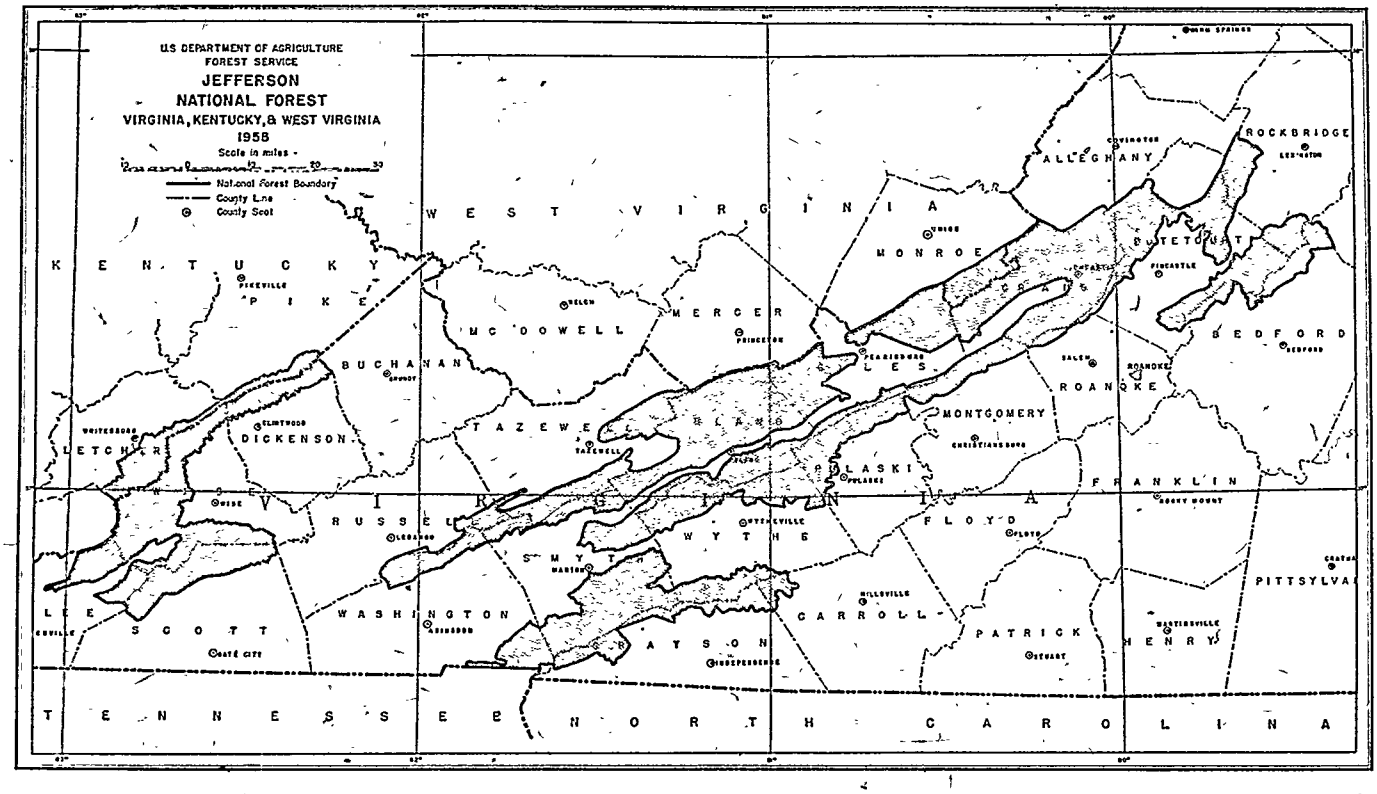
Beginning at Class A Corner 689 a Forest Service standard concrete monument, also corner 3 of tract 2 on the Virginia-Tennessee State line; thence northerly, easterly and northeasterly with tract 2 to corner 64 thereof; thence northeasterly a straight line to Route 604 at Cole; thence southeasterly and northeasterly with Route 604 crossing the Smyth-Washington County line and through Smyth County to Sinkers Creek; thence easterly a straight line to corner 38 of tract 131; thence southeasterly a straight line to corner 8 of tract 2a; thence northeasterly with tract 2a to Hopkins Branch; thence down Hopkins Branch to Route 656; thence northeasterly with Route 656 to Route 81; thence northwesterly with Route 81 to its intersection with Route 657; thence northwesterly with Route 657 to its intersection with Route 658; thence northeasterly with Route 658 to the corporate limits of Marion; thence easterly with the corporate limits of Marion to Route 16; thence easterly with Route 16 to its junction with Route 688; thence northeasterly with Route 688 to its junction with Route 622; thence northeasterly a straight line to an unnumbered road in Copenhaver Hollow; thence northeasterly with unnumbered road to Route 615; thence northeasterly and southeasterly with Route 615, crossing Wythe-Smyth county line and through Wythe county to its junction with Route 670; thence southeasterly with Route 670 to its intersection with Route 90; thence southwesterly with Route 90 crossing the Smyth-Wythe County line and through Smyth County to its junction with Route 614; thence southwesterly with Route 614 to its junction with Route 612; thence northeasterly and southeasterly with Route 612, crossing the Smyth-Wythe



County line and through Wythe County to its junction with Route 91; thence easterly with Route 91 to Route 619 at Speedwell; thence easterly with Route 619 to where said route crosses Cripple Creek; thence down Cripple Creek to line 32–33 of tract 40–III; thence with lines of tract 40–III reversed, to where Cripple Creek crosses line 30–31; thence down Cripple Creek to Route 643 at Eagle; thence easterly with Route 643 to Route 644; thence southeasterly with Route 644 to an unnumbered road south of Ivanhoe; thence southerly with unnumbered road to the Carroll-Wythe County line; thence northeasterly with Carroll-Wythe County line to the center of New River; thence up the center of New River through Carroll County to a point opposite the mouth of Little Brush Creek; thence up Little Brush Creek to Route 94; thence southerly with Route 94 to its junction with Route 604; thence westerly with Route 604 crossing the Carroll-Grayson County line and through Grayson County to its junction with Route 95 near bench mark 2542; thence northwesterly with Route 95 to U.S. Highway 21; thence southwesterly with U.S. Highway 21 to Route 658; thence southwesterly with Route 658 to its junction with Route 660; thence northwesterly with Route 660 to its junction with Route 661; thence southerly with Route 661 to its junction with Route 658 at Comers Rock; thence southwesterly with Route 658 to a point southeasterly of the mouth of Carico Branch on Elk Creek; thence northwesterly a straight line passing the mouth of Carico Branch to a point on Jerry Creek at bench mark 3388; thence southwesterly a straight line to the intersection of Route 16 and Route 603 at Troutdale; thence southeasterly with Route 16 to its junction with Route 730; thence southwesterly with Route 730 to its junction with Route 740; thence southwesterly with Route 740 to its junction with U.S. Highway 58; thence westerly with U.S. Highway 58 to Wilson Creek; thence up Wilson Creek to the mouth of Quebec Branch; thence southwesterly a straight line to the junction of Routes 755 and 725 at Park; thence southwesterly with Route 725 to its junction with Route 726 on the Grayson-Washington County line; thence westerly with Route 726 to Green Cove Creek at bench mark 3259; thence down Green Cove Creek to the mouth of Buckeye Branch; thence up Buckeye Branch to the Tennessee-Virginia State line; thence westerly with the Tennessee-Virginia State line to the point of beginning.

Unit V

Beginning on the Kentucky-Virginia state line at a point common to Harlan and Letcher Counties, Kentucky, and Wise County, Virginia; thence with the Harlan-Letcher County line to Poor Fork of Cumberland River; thence up Poor Fork of Cumberland River to the mouth of Little Joe Day Branch; thence up Little Joe Day Branch to its source; thence directly across Pine Mountain to the source of an unnamed branch; thence down said unnamed Branch to Cowan Creek near bench mark 1434; thence down Cowan Creek about two and one-half miles to a point near bench mark 1184 at mouth of branch coming in from the east; thence up said branch, across low divide and down a branch flowing northerly to its mouth at a point on Little Cowan Creek; thence up Little Cowan Creek about one mile to where a road leaves said Creek in a northerly direction; thence along said road to the North Fork of Kentucky River; thence up the North Fork of Kentucky River to the mouth of Cram Creek; thence up Cram Creek about one and one-half miles to where a road leaves said creek in a northeasterly direction; thence along said road, crossing the heads of Pine Creek and Bottom Fork, down Laurel Fork, up North Fork of Kentucky River, through Payne Gap and down Little Elkhorn Creek to a point in Elkhorn Creek at Jenkins, Kentucky, near bench mark 1527; thence down Elkhorn Creek, crossing the Letcher-Pike County line and continuing through Pike County to the junction of Elkhorn Creek and Russell Fork; thence up Russell Fork about one-fourth mile to a bridge at Elkhorn City; thence along height of land southeast of Beaver Creek to head of a drain; thence down said drain about one-fourth mile to Trace Fork; thence down Trace Fork about one-half mile to its junction with Abes Fork of Grassy Creek; thence down Abes Fork to Grassy Creek, a point on the Virginia-Kentucky state line common to Pike County, Kentucky, Buchanan and Dickenson Counties, Virginia; thence along the Buchanan-Dickenson County line to height of land near the head of Hunts Creek; thence southwesterly through Dickenson County along height of land northwest of Barts Lick Creek and southwest of Camp Branch and Little Lick Creek to Barts Lick Creek; thence down Barts Lick Creek about one-half mile to Russell Fork; thence crossing Russell Fork to the mouth of Pound River; thence up Pound River, crossing the Dickenson-Wise County line and continuing through Wise County to the mouth of the North and South Forks of Pound River; thence up the South Fork of Pound River to Route 59; thence southwesterly with Route 59 to its junction with Route 629; thence southwesterly with Route 629 to its junction with Route 620; thence southerly with Route 620, along the Guest River, to Route 621; thence southwesterly with Route 621 to Locust Grove Church; thence westerly with an unnumbered road to the headwaters of Black Creek; thence southerly with an unnumbered road along Black Creek to U.S. Highway 23 at Blackwood; thence easterly with U.S. Highway 23 to the corporate limits of Norton; thence easterly around the south side of Norton to corner 1 of tract 19; thence easterly with tract 19 to corner 9 of tract 19–I; thence passing through corners 8, 7, and 6 of tract 19–I to corner 5 of said tract, a point on line 6–7 of tract 19; thence easterly with tract 19 to Class A Corner 746; thence northerly a straight line to the Interstate Railroad right-of-way; thence easterly with the Interstate Railroad right-of-way to a point where it intersects line 5–6 of tract 312; thence with tract 312 to Class A corner 781, a point in the middle of Guest River; thence easterly with the middle of Guest River to corner 26 of tract 19, a point opposite the mouth of Burns Creek; thence southeasterly with



tract 19 and Burns Creek to the Interstate Railroad; thence easterly with the Interstate Railroad to the Guest River; thence down the Guest River to the mouth of Mill Creek; thence easterly with an unnumbered road to Route 646; thence easterly with Route 646 to corner 4 of tract 19a; thence in a general easterly direction with tract 19a to Class A corner 750, a point in the Guest River; thence southeasterly down the Guest River to the Wise-Scott County line, continuing with the Guest River and through Scott County to the Clinch River; thence down the Clinch River to bench mark 1353 near Stony; thence northerly to Route 72; thence southwesterly with Route 72 to its junction with Route 653; thence southwesterly with Route 653 to its junction with Route 660; thence southerly with Route 660 approximately one-half mile; thence southwesterly along the top of Buckner Ridge and continuing westerly to Route 653 west of Buckner Ridge Lookout; thence southwesterly with Route 653 to its junction with U.S. Highway 23; thence southwesterly with U.S. Highway 23 to its junction with U.S. Highway 58 approximately one-half mile southeast of Duffield; thence a straight line northwesterly to Cain Gap on Powell Mountain, a point on the Scott-Lee County line; thence northwesterly with the top of Powell Mountain and the Scott-Lee County line, entering Lee County and continuing to the top of Wallen Ridge, approximately one mile southwest of Lovelady Gap; thence northwesterly a straight line to the junction of Routes 619 and 64; thence northeasterly with Route 64 crossing the Lee-Wise County line and through Wise County to the junction of an unnumbered road approximately one-half mile southwest of Cadet; thence southeasterly a straight line to the junction of Route 609 and U.S. Highway 23 at Irondale; thence northeasterly with Route 609 to its junction with Route 612; thence northeasterly with Route 612 to its junction with Route 616; thence southeasterly with Route 616 to its junction with Route 602; thence northeasterly with Route 602 to its junction with Route 610; thence northeasterly with Route 610 to its junction with Route 612; thence westerly a straight line to class A corner 702 which is also corner 13 of tract 19e; thence southwesterly and northerly with tracts 19e and 3a to corner 8 of tract 3a; thence southwesterly a straight line to corner 29 of tract 19f; thence southwesterly with tract 19f to class A corner 707; thence southwesterly a straight line to corner 1 of tract 19g; thence southwesterly around the corporate limits of Big Stone Gap, passing corner 1 of tract 252, to Route 621 at Cadet; thence southwesterly with Route 621 crossing the Wise-Lee County Line and through Lee County to its junction with Route 65; thence northwesterly with Route 65, through Pennington Gap to its junction with Route 606; thence northeasterly with Route 606 to its junction with Route 627; thence northerly with Route 627 to Trace Gap on Black Mountain and the Kentucky-Virginia state line; thence northeasterly and northerly with the state line to the point of beginning.

[F.R. Doc. 59-4429; Filed, May 22, 1959; 1:27 p.m.]

Proclamation 3295

DEATH OF JOHN FOSTER DULLES

By the President of the United States of America

A Proclamation

TO THE PEOPLE OF THE UNITED STATES:

WHEREAS Almighty God, in His infinite wisdom, has taken from us on this day the mortal life of John Foster Dulles; and

WHEREAS this eminent American was a leader in his generation, a champion of righteousness, strong for truth, a builder of good and noble purpose whose eyes were fixed on the highest goals which men are given to see; and

WHEREAS he was a citizen of many achievements in the courts, in the Government of the United States, in the churches and councils of the world, lifting high the banner of freedom and strengthening the cause of justice; and

WHEREAS by his integrity, his sense of duty to country and mankind, his unceasing quest for peace, he earned the regard and respect of all men of good will:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, in grateful tribute to this esteemed statesman, do hereby direct that the appropriate officials arrange for the display of the national flag at half staff on all Government buildings of the United States until the body of John Foster Dulles is laid to rest. I also direct that, for the same length of time the representatives of the United States in foreign countries shall make similar arrangements for the display of the flag at half staff over their embassies, legations, consular offices, and military facilities.

From the example of John Foster Dulles, brave in living, brave in dying, let us each hold with all fervor to the verities which inspired him.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-fourth day of May in the year of our Lord nineteen hundred and fifty-nine, and of the Independence of the United States of America the one hundred and eighty-third.

[SEAL]

DWIGHT D. EISENHOWER

By the President:

DOUGLAS DILLON,
Acting Secretary of State.

[F.R. Doc. 59-4453; Filed, May 25, 1959; 9:47 a.m.]

RULES AND REGULATIONS

Title 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

SUBCHAPTER B—FARM OWNERSHIP LOANS

[FHA Instruction 428.1]

PART 331—POLICIES AND AUTHORITIES

Average Values of Farms; Puerto Rico

On May 18, 1959, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, the average value of efficient family-type farm-management units for Rio Grande County was determined to be $40,000. The average value heretofore established for said county, which appears in the tabulations of average values under § 331.17, Chapter III, Title 6, Code of Federal Regulations, is hereby superseded by the average value set forth herein for said county.

(Sec. 41, 50 Stat. 528, as amended; 7 U.S.C. 1015)

Dated: May 20, 1959.

K. H. HANSEN,
Administrator,
Farmers Home Administration.

[F.R. Doc. 59-4404; Filed, May 25, 1959; 8:49 a.m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[C.C.C. Grain Price Support Bulletin 1, 1959 Supp. 1, Corn]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1959-Crop Corn Loan and Purchase Agreement Program

A price support program has been announced for the 1959 crop of corn. The C.C.C. Grain Price Support Bulletin 1 (23 F.R. 9651), issued by the Commodity Credit Corporation and containing the regulations of a general nature with respect to price support operations for grains and other commodities produced in 1959 and subsequent years is supplemented as follows:

Sec.
421.4136 Purpose.
421.4137 Availability of price support.
421.4138 Eligible corn.
421.4139 Warehouse receipts.
421.4140 Determination of quantity.
421.4141 Determination of quality.
421.4142 Maturity of loans.
421.4143 Determination of support rates.
421.4144 Warehouse charges.
421.4145 Inspection of corn under purchase agreements.
421.4146 Settlement.

AUTHORITY: §§ 421.4136 to 421.4146 issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 105, 401, 63 Stat. 1051, 1054, as amended. 15 U.S.C. 714c, 7 U.S.C. 1441, 1421

§ 421.4136 Purpose.

Sections 421.4136 to 421.4146 state additional specific requirements which, together with the general regulations contained in the C.C.C. Grain Price Support Bulletin 1 (§§ 421.4001 to 421.4021), applicable to 1959 and subsequent crop years, apply to loans and purchase agreements under the 1959-Crop Corn Price Support Program.

§ 421.4137 Availability of price support.

(a) *Method of support.* Price support will be made available through farm-storage and warehouse-storage loans and through purchase agreements.

(b) *Area.* Farm-storage and warehouse-storage loans and purchase agreements will be available wherever corn is grown in the continental United States, except that farm-storage loans will not be available in areas where the State committee determines that corn cannot be safely stored on the farm.

(c) *Where to apply.* Application for price support should be made at the office of the county committee which keeps the farm program records for the farm.

(d) *When to apply.* Loans and purchase agreements will be available from the time of harvest through May 31, 1960: *Provided,* That in areas where it is determined by the State committee that producers may not be, or are not, in a position to store corn safely for the full storage period because of infestation by angoumois moths or other insects, adverse climatic conditions, or other factors affecting the safe storage of corn, the final date of availability for loans and purchase agreements shall be such earlier date as may be determined by the State committee. The State committee shall notify producers in the area through public announcement sufficiently in advance of such date in order to allow producers a reasonable period of time in which to place their corn under loans or purchase agreements. The applicable documents must be signed by the producer and delivered to the office of the county committee not later than the final date of availability for loans and purchase agreements in the area. Applicable documents include the Producer's Note and Loan Agreement for warehouse-storage loans, the Producer's Note and Supplemental Loan Agreement and the Commodity Chattel Mortgage for farm-storage loans, and the Purchase Agreement for purchase agreements.

(e) *Eligible producer.* An eligible producer shall be an individual, partnership, association, corporation, estate, trust or other business enterprise, or legal entity, and wherever applicable, a State, political subdivision of a State, or any agency thereof producing corn in 1959 as landowner, landlord, tenant or sharecropper. Executors, administrators, trustees, or receivers who represent an eligible producer or his estate may qualify for price support provided the loan or purchase agreement documents executed by them are legally valid. Two or more eligible producers may obtain a joint loan on eligible corn harvested by them if stored in the same farm-storage facility. In the case of joint loans, each person signing the note shall be held jointly and severally responsible for the loan. Warehouse-storage loans may be made to a warehouseman who tenders to CCC warehouse receipts issued by him on grain produced by him only in those States where the issuance and pledge of such warehouse receipts are valid under State law. Where the county office has experienced difficulties in settling farm-storage loans with a producer, the county committee shall determine that he is not eligible for a farm-storage loan. He shall be eligible, however, to obtain a warehouse-storage loan or sign a purchase agreement.

§ 421.4138 Eligible corn.

The corn, when placed under loan or delivered under a purchase agreement, must meet the following requirements:

(a) The corn must be of the classes Yellow Corn (Class I), White Corn (Class II), or Mixed Corn (Class III) and must have been produced in the continental United States in 1959 by an eligible producer.

(b) The corn must not contain mercurial compounds or other substances poisonous to man or animals.

(c) The corn must be ear or shelled corn: *Provided,* That the corn must be shelled before placed under a warehouse-storage loan or before delivery is made in liquidation of a loan or under a purchase agreement. If the corn is not shelled prior to delivery, the cost of shelling on or after delivery shall be for the account of the producer.

(d) (1) The beneficial interest in the corn must be in the eligible producer tendering the corn for loan or for delivery under a purchase agreement, and must always have been in him, or must have been in him and a former producer whom he succeeded before the corn was harvested. Any producer who is in doubt as to whether his interest in the commodity complies with the requirements of this subpart should make available to the county committee all pertinent information, prior to filing an application, which will permit a determination to be made by CCC as to his eligibility for price support.

(2) To meet the requirements of succession to a former producer, the rights, responsibilities and interest of the former producer with respect to the farming unit on which the corn was produced shall have been substantially assumed by the producer claiming succession. Mere purchase of the crop prior to harvest, without acquisition of any additional interest in the farming unit, shall not constitute succession. The county committee shall determine whether the requirements with respect to succession have been met.

(e) Corn placed under loan must, except for moisture content, grade No. 3 or better, or No. 4 on the factor of test weight only, but otherwise No. 3 or better (in accordance with the Revised Official Grain Standards of the United States for Corn effective October 1, 1959) and must meet the following additional requirements:

(1) For ear corn placed under a farm-storage loan, the moisture content must not exceed 20.5 percent if the corn is tested for loan from time of harvest through February 1960; 19.0 percent if tested for loan during March 1960; 17.5 percent if tested for loan during April 1960, and 15.5 percent if tested for loan during May 1960.

(2) For shelled corn placed under a farm-storage loan, the moisture content must not exceed 13.5 percent irrespective of when the corn is tested for loan.

(3) Corn placed under loan must not grade "weevily".

(f) Corn delivered to CCC under a purchase agreement must meet the following additional requirements:

(1) Corn delivered to CCC from other than approved warehouse-storage must grade No. 5 or better, (in accordance with the Revised Official Grain Standards of the United States for Corn effective October 1, 1959) except that such corn may bear the special grade "weevily" in addition to the numerical grade.

(2) Corn placed in approved warehouse-storage prior to the time that the producer notifies the county committee of his intention to sell the corn to CCC must grade No. 3 or better or No. 4 on the factor of test weight only but otherwise No. 3 or better (in accordance with the Revised Official Grain Standards of the United States for Corn effective October 1, 1959), must not contain in excess of 13.5 percent moisture and must not grade "weevily."

(g) Corn when placed under a warehouse-storage loan or delivered from approved warehouse storage under a purchase agreement containing in excess of 13.5 percent moisture shall not be eligible, except that corn represented by warehouse receipts which indicate that the corn is ineligible because of moisture content only, will be eligible if the warehouseman certifies on the supplemental certificate or on a statement attached to the warehouse receipt that corn of 13.5 percent moisture or less of an eligible grade and quality which meets the requirements of § 421.4138 will be delivered. The certification shall be substantially as follows:

> On corn containing in excess of 13.5 percent moisture delivery will be made of corn which grades No. _____ which contains not in excess of 13.5 percent moisture, which is otherwise of the same quality or better as the corn described on warehouse receipt No. _____, and which is the actual quantity obtained after drying the corn described in such receipt to not in excess of 13.5 percent moisture. No lien for processing will be claimed by the warehouseman from the Commodity Credit Corporation or any subsequent holder of the warehouse receipt.

§ 421.4139 Warehouse receipts.

Warehouse receipts, representing corn in approved warehouse storage to be placed under loan or delivered under a purchase agreement, must meet the requirements of this section:

(a) Warehouse receipts must be issued in the name of the producer, must be properly endorsed in blank so as to vest title in the holder, and must be receipts issued by a warehouse for which a Uniform Grain Storage Agreement is in effect and which is approved by CCC for price support purposes or must be receipts which are issued on warehouses operated by Eastern common carriers

under tariffs approved by the Interstate Commerce Commission for which custodian agreements are in effect.

(b) Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate), properly identified with the warehouse receipt, must show: (1) Gross weight and net bushels, (2) class, (3) grade, (4) test weight, (5) moisture, (6) cracked corn and foreign material, and (7) any other grading factor(s), when such factor(s), and not test weight or moisture, determine the grade. In areas where licensed inspectors are not available at terminal and subterminal warehouses, CCC will accept inspection certificates based on representative samples which have been forwarded to and graded by a licensed grain inspector.

(c) A separate warehouse receipt must be submitted for each grade and class of corn.

(d) The warehouse receipt may be subject to liens for warehouse charges only to the extent indicated in § 421.4144.

(e) If the warehouseman has furnished a statement as provided in § 421.4138(g), the supplemental certificate must show the numerical grade, grading factors, and the quantity of the corn to be delivered. Where the grade, grading factors and the quantity of the corn shown on the supplemental certificate do not agree with the warehouse receipt, the grade factors and quantity shown on the supplemental certificate shall take precedence.

(f) If the receipt is issued for grain of which the warehouseman is the producer and the owner either solely, jointly, or in common with others, the fact of such ownership shall be stated on the receipt. Such receipts shall also be registered or recorded with appropriate State or local officials when required by State law. In States where the pledge of warehouse receipts by a warehouseman on his own corn is not valid under State law and the warehouseman elects to deliver corn to CCC under a purchase agreement for which he is eligible under this program, the warehouse receipt shall be issued in the name of CCC.

(g) Each warehouse receipt or accompanying supplemental certificate representing grain stored in an approved warehouse operating under the Uniform Grain Storage Agreement shall indicate that the corn is insured, in accordance with CCC Form 25, Uniform Grain Storage Agreement. Each warehouse receipt or accompanying supplemental certificate issued on warehouses operated by Eastern common carriers and representing corn to be placed under loan shall indicate that the corn is insured at the full market value against loss or damage by fire, lightning, inherent explosion, windstorm, cyclone and tornado.

§ 421.4140 Determination of quantity.

(a) The quantity of corn placed under farm-storage loan may be determined either by weight or by measurement. The quantity of corn delivered under a farm-storage loan, or under a purchase agreement shall be determined by weight. The quantity of corn on which a warehouse-storage loan shall be made shall be the net weight of the corn shown on the warehouse receipt or on the supplemental certificate if applicable.

(b) When determined by measurement, a bushel of ear corn shall be 2.5 cubic feet of ear corn testing not more than 15.5 percent in moisture content. An adjustment in the number of bushels of ear corn will be made for moisture content in excess of 15.5 percent in accordance with the following schedule:

Moisture content (percent):	*Adjustment factor (percent)*
15.6 to 16.5, both inclusive	98
16.6 to 17.5, both inclusive	96
17.6 to 18.5, both inclusive	94
18.6 to 19.5, both inclusive	92
19.6 to 20.5, both inclusive	90
Above 20.5—No loan.	

(c) A bushel of shelled corn, when determined by measurement, shall be 1.25 cubic feet of shelled corn testing not more than 13.5 percent in moisture content.

(d) When the quantity is determined by weight, a bushel of shelled corn shall be 56 pounds. In determining the quantity of sacked corn by weight, a deduction of three-fourths of a pound for each sack will be made.

(e) Since dockage is not a grade factor in the case of corn, the quantity of corn will be determined without reference to dockage.

§ 421.4141 Determination of quality.

The class, grade, grading factors, and all other quality factors shall be determined in accordance with the method set forth in the Official Grain Standards of the United States for Corn (effective October 1, 1959) whether or not such determinations are made on the basis of an official inspection.

§ 421.4142 Maturity of loans.

(a) Loans mature on demand but not later than July 31, 1960.

(b) Corn may be delivered in satisfaction of farm-storage loans after maturity in accordance with § 421.4018(a)(1). Corn may be delivered under purchase agreement after maturity in accordance with § 421.4018(c)(1).

(c) In areas where it is determined by the State committee that some producers may not be in a position to store corn safely for the full storage period (for reasons set forth in § 421.4137(d)), the State committee may establish an earlier delivery period prior to maturity (in addition to the regular delivery period) during which any producer in such areas may voluntarily deliver corn which is held in farm storage under loans and purchase agreements. Such earlier delivery period, if established, shall begin at least 30 days after the final date of availability of loans and purchase agreements established by the State committee, and not before April 1, 1960. CCC will accept deliveries of corn during such early delivery period, provided the producer notifies the county committee at least 10 days prior to the date that he desires to deliver the corn.

(d) If the State committee determines that producers in any area are not in a position to safely store corn for the full storage period (for reasons set forth in § 421.4137(d)), all farm-storage loans in such area shall be called promptly by the State committee, and producers who elect to make deliveries from farm storage under purchase agreements shall be required to do so during the delivery period for loans. Such earlier delivery period, if established, shall begin at least 30 days after the final date of availability of loans and purchase agreements established by the State committee, and not before April 1, 1960.

(e) Corn under farm-storage loan may be delivered before maturity, upon prior approval of the county committee, for any of the reasons stated in § 421.4018(a)(1), or if the corn is threatened with damage by flood or by other conditions which are beyond the control of the producer.

§ 421.4143 Determination of support rates.

(a) Basic county support rates, and the schedule of premiums and discounts, for corn will be set forth in C.C.C. Grain Price Support Bulletin 1, 1959 Supplement 2, Corn. Both warehouse-storage and farm-storage loans and purchases under purchase agreements will be made on the basis of the rate established for the county in which the corn is produced.

(b) Where the State committee determines that State, district or county weed control laws, as administered, affect the corn crop, the support rate in the case of farm storage shall be 10 cents below the applicable county support rate unless the producer obtains a certificate from the appropriate weed control official indicating that the corn complies with the weed control laws. In the case of warehouse storage, whenever the State committee of the State in which the corn is stored determines that State, district or county weed control laws, as administered, affect corn stored in approved warehouses, the rate shall be 10 cents below the applicable support rate unless the producer obtains a certificate from either the appropriate State, county or district weed control official or the storing warehouseman that the corn complies with the weed control laws, and in the case of the warehouseman, that he will save CCC harmless from loss or penalty because of the weed control laws. The certificate of the warehouseman may be in substantially the following form:

CERTIFICATION

This is to certify that the grain evidenced by warehouse receipt No. _____ issued to _____ is not subject to seisure or other action under weed control laws or regulations in effect at point of storage. It is further certified and agreed that should such grain be taken over by CCC in settlement of a loan or be purchased under the purchase agreement program that the undersigned will save CCC from loss or penalty under weed control laws or regulations in effect at the point the grain was stored under the above warehouse receipt.

_____
(Signature)

_____
(Address)

_____
(Date)

§ 421.4144 Warehouse charges.

(a) Warehouse receipts and the corn represented thereby stored in approved

warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the corn is deposited in the warehouse for storage: *Provided,* That the warehouseman shall not be entitled to satisfy the lien by sale of the commodity when CCC is holder of the warehouse receipt.

(b) Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing corn stored in warehouses operating under the Uniform Grain Storage Agreement is on or before July 31, 1960, there shall be deducted in computing the amount of the loan or purchase price the storage charges per bushel as shown in the following table unless written evidence has been submitted with the warehouse receipt that all warehouse charges, except receiving and loading out charges, have been prepaid through the maturity date, July 31, 1960.

Date of deposit (all dates inclusive):	*Amount of deduction (cents per bushel)*
Prior to Aug. 3, 1959	17
Aug. 3, 1959–Aug 24, 1959	16
Aug. 25, 1959–Sept. 15, 1959	15
Sept. 16, 1959–Oct. 7, 1959	14
Oct. 8, 1959–Oct. 29, 1959	13
Oct. 30, 1959–Nov. 20, 1959	12
Nov. 21, 1959–Dec. 12, 1959	11
Dec. 13, 1959–Jan. 3, 1960	10
Jan. 4, 1960–Jan. 25, 1960	9
Jan. 26, 1960–Feb. 16, 1960	8
Feb. 17, 1960–Mar. 10, 1960	7
Mar. 11, 1960–Apr. 1, 1960	6
Apr. 2, 1960–Apr. 23, 1960	5
Apr. 24, 1960–May 15, 1960	4
May 16, 1960–June 6, 1960	3
June 7, 1960–June 28, 1960	2
June 29, 1960–July 31, 1960	1

(c) Warehouse receipts and the corn represented thereby stored in approved warehouses operated by Eastern common carriers may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission: *Provided,* That the warehouseman shall not be entitled to satisfy the lien by sale of the commodity when CCC is holder of the warehouse receipt. There shall be deducted in computing the amount of the loan or purchase price the amount of the approved tariff rate for storage (not including elevation) which will accumulate from the date of deposit through July 31, 1960, unless evidence has been submitted with the warehouse receipt that the storage charges have been prepaid. The county office shall request the CSS commodity office to determine the amount of such charges. Where the producer presents evidence showing that elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges prepaid by the producer.

§ 421.4145 Inspection of corn under purchase agreement.

(a) *Predelivery inspection.* Where the producer has given written notice within the 30-day period prior to the loan maturity date of his intent to sell his corn stored in other than an approved warehouse under purchase agreement to CCC, the county office shall make an inspection of the corn within the 30-day period or as soon as possible thereafter but prior to delivery of the corn. The primary importance of this inspection is to discuss with the producer the condition of his corn and the method for making settlement for corn delivered. This predelivery inspection shall not be used for settlement. If the corn, on the basis of predelivery inspection, is determined to be eligible for delivery to CCC in accordance with §421.4138 or if the corn appears to be ineligible for delivery and the producer insists upon making delivery, the county office will issue delivery instructions on or after the final date of the 30-day period or the date of inspection, whichever is later. The producer must then complete delivery within a 15-day period immediately following the date the county office issues delivery instructions, unless the county office determines that more time is needed for delivery. A predelivery inspection shall not be made on corn stored commingled in warehouses not approved for storage or on corn in an unapproved warehouse which is stored so that the identity of the producer's corn is maintained but a predelivery inspection is not possible.

(b) *Inspection of corn stored by producer after maturity date.* The producer may be required to retain corn under purchase agreement which is stored in other than approved warehouse storage for a period of 60 days after the loan maturity date without any cost to CCC. CCC will not assume any loss in quantity or quality of the corn covered by a purchase agreement occurring prior to delivery to CCC, except for quality deterioration under the following circumstances: If a producer has properly requested delivery instructions for corn which was determined to be of an eligible grade and quality at the time of the predelivery inspection, and CCC cannot accept delivery within the 60-day period following the loan maturity date, the producer may notify the county office at any time after such 60-day period that the corn is going out of condition or is in danger of going out of condition. Such notice must be confirmed in writing. If the county office determines that the corn is going out of condition or is in danger of going out of condition and that the corn cannot be satisfactorily conditioned by the producer, and delivery cannot be accepted within a reasonable length of time, the county office shall obtain an inspection and grade and quality determination. When delivery is completed, settlement shall be made on the basis of such grade and quality determination or on the basis of the grade and quality determination made at the time of delivery, whichever is higher, and on the basis of the quantity actually delivered.

§ 421.4146 Settlement.

(a) *Settlement value*—(1) *Farm-storage loans.* In the case of corn delivered to CCC under farm-storage loans grading No. 3 or better, or No. 4 on the factor of test weight only but otherwise grading No. 3 or better, settlement shall be made at the applicable support rate for the county in which the corn was produced. The support rate shall be for the grade and quality of the total quantity of corn eligible for delivery subject to premiums and discounts shown in the "Schedule of Premiums and discounts" in C.C.C. Grain Price Support Bulletin 1, 1959 Supplement 2, Corn. The settlement value of corn which upon delivery grades below No. 3 (except for corn which grades No. 4 on test weight only, but otherwise No. 3 or better) shall be the applicable basic county support rate without reference to any premiums or discounts, less the difference, if any, at the time of delivery, between the market price of corn grading No. 3 (without any premiums or discounts for the factor of moisture) and the market price of the corn delivered, as determined by CCC: *Provided, however,* That if such corn is sold by CCC in order to determine its market price the settlement value shall not be less than such sales price: *And provided further,* That if upon delivery the corn contains mercurial compounds or other substances poisonous to man or animals, such corn shall be sold for seed (in accordance with applicable State seed laws and regulations), fuel or industrial uses where the end product will not be consumed by man or animals, and the settlement value shall be the same as the sales price, except that if CCC is unable to sell such corn for the use specified above, the settlement value shall be the market value, as determined by CCC, as of the date of delivery.

(2) *Warehouse-storage loans.* Settlement for eligible corn under warehouse-storage loans not redeemed on maturity and represented by warehouse receipts issued by an approved warehouse shall be made on the basis of the weight, grade, and other quality factors shown on the warehouse receipts or accompanying documents at the applicable support rate for the county in which the corn was produced.

(3) *Purchase agreements*—(i) *Delivery from farm storage.* Settlement for corn delivered to CCC from farm storage and purchased by CCC under a purchase agreement shall be made on the basis of weight, grade, and other quality factors determined by a reinspection at the time of delivery. Settlement for eligible corn grading No. 3 or better, or No. 4 on the factor of test weight only but otherwise No. 3 or better, and for corn of such grades bearing the special grade "Weevily" in addition to the numerical grade shall be made on the basis of the applicable basic county support rate for the county where produced and the "Schedule of Premiums and Discounts" contained in the C.C.C. Grain Price Support Bulletin 1, 1959 Supplement 2, Corn. Settlement for eligible corn grading No. 4 on the basis of factors other than test weight, for eligible corn grading No. 5 and for eligible corn of such grades bearing the special grade "Weevily" in addition to the numerical grade, shall be computed at the applicable basic county support rate without reference to any

premiums or discounts, less the difference, if any, at the time of delivery, between the market price for No. 3 corn (without any premiums or discounts for the factor of moisture) and the market price of the corn delivered, as determined by CCC: *Provided, however,* That if such corn is sold by CCC in order to determine its market price, the settlement value shall not be less than such sales price: *And provided further,* That if, upon delivery, the corn contains mercurial compounds or other substances poisonous to man or animals, such corn shall be sold for seed (in accordance with applicable State seed laws and regulations), fuel or industrial uses where the end product will not be consumed by man or animals, and the settlement value shall be the same as the sales price, except that if CCC is unable to sell such corn for the use specified above, the settlement value shall be the market value, if any, as determined by CCC as of the date of delivery.

(ii) *Delivery from approved warehouse storage.* In the case of eligible corn stored commingled in an approved warehouse, the producer must, not later than the day following the loan maturity date, or during such period of time thereafter as may be specified by the county committee, submit to the office of county committee warehouse receipts under which the warehouseman guarantees quality and quantity for the quantity of corn the producer elects to sell to CCC. Settlement for eligible corn delivered under purchase agreement to CCC by submission of warehouse receipts issued by an approved warehouse shall be made on the basis of the weight, grade and other quality factors shown on the warehouse receipt or accompaning documents at the applicable support rate for the county in which the corn was produced.

(iii) *Delivery from unapproved warehouse storage.* Settlement for corn delivered to CCC which is stored in an unapproved warehouse, regardless of whether a predelivery inspection is performed, shall be the same as for corn delivered under a purchase agreement from farm storage as provided in subdivision (i) of this subparagraph.

(iv) *Corn ineligible for delivery inadvertently accepted by CCC.* The settlement provisions hereof shall apply to the following categories of corn ineligible for delivery which is inadvertently accepted by CCC and which CCC determines it is not in a position to reject: (a) Corn of an ineligible grade or quality which is delivered to CCC in excess of the maximum quantity stated in the purchase agreement; and (b) corn in other than approved warehouse storage which, at the time of delivery, does not meet the eligibility requirements of § 421.4138. The settlement value shall be the market price for the grade, quality, and quantity of such ineligible corn delivered as determined by CCC: *Provided, however,* That if such corn is sold by CCC in order to determine its market price, the settlement value shall not be less than the sales price: *Provided further,* That if upon delivery, the corn contains mercurial compounds or other substances poisonous to man or animals, the corn shall be sold for seed (in accordance with applicable State seed laws and requirements), fuel or industrial uses where the end product will not be consumed by man or animals and the settlement value shall be the same as the sales price: *Provided further,* That if CCC is unable to sell such corn for the use specified above, the settlement value shall be the market value, as determined by CCC as of the date of delivery. If corn delivered is of an eligible grade and quality but in excess of the maximum quantity stated in the purchase agreement and such corn is inadvertently accepted by CCC, the settlement value shall be the sales price if the corn is immediately sold. If the corn is not immediately sold, the settlement value shall be the applicable support rate if such rate has been established or the market price as determined by CCC, whichever is lower.

(b) *Storage deduction for early delivery.* No deduction for storage shall be made for farm-stored corn under loan or purchase agreement authorized to be delivered to CCC prior to the loan maturity date or such earlier delivery date as may be established by the State committee in accordance with § 421.4142(d) except where it is necessary to call the loan by reason of fault or negligence on the part of the producer or where the producer requests early delivery and the county committee approves early delivery and determines such early delivery is solely for the convenience of the producer. In such cases storage charges shall be deducted for the period beginning on the date delivery was completed and ending on July 31, 1960, in accordance with the schedule of deductions for warehouse charges in section 421.4144. Where an earlier delivery date is established by the State committee in accordance with § 421.4142(d), storage charges shall be deducted for the period beginning on the date delivery was completed and ending on such earlier date established by the State committee in accordance with the schedule of charges provided in § 421.4144 adjusted to such earlier delivery date.

(c) *Refund of prepaid handling charges.* In case a warehouseman charges the producer for the receiving or the receiving and loading out charges on corn under loan or purchase agreement stored in a warehouse under the Uniform Grain Storage Agreement, the producer shall, upon delivery of the corn to CCC, be reimbursed or given credit by the county office for such prepaid charges in an amount not to exceed the charges authorized under the Uniform Grain Storage Agreement, provided the producer furnishes to the county office written evidence signed by the warehouseman that such charges have been paid.

(d) *Storage payment where CCC is unable to take delivery of corn stored in other than an approved warehouse under loan or purchase agreement.* The producer may be required to retain corn under loan or purchase agreement which is stored in other than an approved warehouse for a period of 60 days after the maturity date without any cost to CCC. The producer shall be paid a storage payment upon delivery of the corn to CCC if CCC is unable to take delivery of such corn within the 60-day period after maturity and in the case of corn under purchase agreement if the producer has properly given notice of his intention to sell the corn to CCC. The period for earning such storage payment shall begin the day following the expiration of the 60-day period after the maturity date and extend through the final date of delivery, or the final date for delivery as specified in the delivery instructions issued to the producer by the county office, whichever is earlier. The storage payment shall be computed at the rate of $0.00045 per bushel per day for the corn accepted for delivery or sale to CCC.

(e) *Track-loading payment.* A track-loading payment of 3 cents per bushel shall be made to the producer on corn delivered to CCC on track at a country point.

(f) *Compensation for hauling.* If the producer is directed by the county office to deliver his corn to a point other than his customary shipping point, he shall be allowed compensation (as determined by CCC at not to exceed the common carrier truck rate or the rate available from local truckers) for the additional cost of hauling the corn any distance greater than the distance from the point where the corn is stored by the producer to the customary shipping point.

(g) *Method of payment under purchase agreement settlements.* When delivery of corn under purchase agreement is completed, payment will be made by sight draft drawn on CCC by the county office. The producer shall direct, on Commodity Purchase Form 4, to whom payment of the proceeds shall be made.

Issued this 20th day of May 1959.

CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-4402; Filed, May 25, 1959; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

[Amdt. 117]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Alterations

The new and revised standard instrument approach procedures appearing hereinafter are adopted to become effective and/or canceled when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

1. The low or medium frequency range procedures prescribed in § 609.100(a) are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Key West VOR	EYW-LFR	Direct	1300	T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				*A	800-2	800-2	800-2

Procedure turn N side W crs, 267° Outbnd, 087° Inbnd, 1300' within 10 mi. Beyond 10 mi NA.
Minimum altitude over facility on final approach crs, 800'.
Crs and distance, facility to airport, 065—1.2.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.3 miles, climb to 1200' on E crs within 20 miles.
NOTES: Contact Boca Chica Tower on 11847 or 122.5 when 20 miles out for traffic information. If unable, contact Key West Radio. Weather service available to general public 06:00—22:00 EST. Runway lighting available on request to EYW Radio.
*Authorized only during hours that weather is being reported.

City, Key West; State, Fla.; Airport Name, International; Elev., 4'; Fac. Class, SBRAZ; Ident., EYW; Procedure No. 1, Amdt. 8; Eff. Date, 6 June 1959; Sup. Amdt. No. 7; Dated, 25 Feb. 1956

Raleigh VORTAC	RDU-LFR	Direct	2000	T-dn	300-1	300-1	200-½
Knightdale FM	RDU-LFR (Final)	Direct	1200	C-dn	400-1	500-1	500-1½
				S-dn-32	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar terminal area transition altitudes: 2000' within 20 miles; 3000' within 25 miles Raleigh-Durham Airport.
Radar control must provide 3 miles or 1000' vertical separation; or 3 to 5 miles and 500' vertical separation from radio tower 1822' 17 miles SE Raleigh-Durham Airport.
Procedure turn N side SE crs, 119° Outbnd, 299° Inbnd, 1900' within 10 miles.
Minimum altitude over facility on final approach crs, 1200'.
Crs and distance, facility to airport, 296—3.5.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.5 miles, climb to 2000' on NW crs within 25 miles, or when directed by ATC, climb to 1800' on NE crs within 20 miles.

City, Raleigh; State, N.C.; Airport Name, Raleigh-Durham; Elev., 435'; Fac. Class, SBRAZ; Ident., RDU; Procedure No. 1, Amdt. 10; Eff. Date, 6 June 1959; Sup. Amdt. No. 9; Dated, 1 Nov. 1958

2. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Raleigh LFR	LOM	Direct	2000	T-dn	300-1	300-1	200-½
Raleigh VORTAC	LOM	Direct	2000	C-dn	400-1	500-1	500-1½
Int NW crs RDU LFR and Brng 229° to LOM.	LOM	Direct	2000	S-dn-5	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar terminal area transition altitude: 2000' within 20 miles; 3000' within 25 miles Raleigh-Durham Airport.
Radar control must provide 3 miles or 1000' vertical separation; or 3 to 5 miles and 500' vertical separation from radio tower 1822' 17 miles SE Raleigh-Durham Airport.
Procedure turn N side of SW crs, 229° Outbnd, 049° Inbnd, 1700' within 10 mi. Beyond 10 miles NA. Minimum altitude over LOM on final approach crs, 1000'.
Crs and distance, facility to airport, 049°—3.8 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 mi after passing LOM, climb to 1800' on NE crs (038) LFR or R-041 or VOR within 15 miles or, when directed by ATC, turn left, climb to 2000' on NW crs (308) LFR or R-309 of VOR.

City, Raleigh; State, N.C.; Airport Name, Raleigh-Durham; Elev., 435'; Fac. Class, LOM; Ident., RD; Procedure No. 1, Amdt. 3; Eff. Date, 6 June 1959; Sup. Amdt. No. 2; Dated, 8 Nov. 1958

				T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn-13	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 300° Outbnd, 120° Inbnd, 1700' within 10 mi. Beyond 10 mi NA.
Minimum altitude over facility on final approach crs, 1200'.
Crs and distance, facility to airport, 120—1.4.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.4 mi, climb to 2100' on crs 120° within 20 mi.
CAUTION: 990' radio tower 4.5 mi E of airport. 1056' radio tower 7 mi E of airport.

City, Tyler; State, Tex.; Airport Name, Pounds Field; Elev., 544'; Fac. Class, NH; Ident., TYR; Procedure No. 2; Admt. 1; Eff. Date, 6 June 1959; Sup. Amdt. Proc. No. 1, Orig.; Dated, 9 Jan. 1957

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300–1	300–1	200–1½
				C-dn	700–1	700–1	700–1½
				A-dn	NA	NA	NA

Radar Terminal Area Transition Altitudes: 0°–360° within 25 mi, 3000'; 070–290° within 15 mi, 2200'. All bearings are from the radar antenna site with sector azimuths progressing clockwise.

Procedure turn North side of crs, 053° Outbnd, 233° Inbnd, 2500' within 10 mi.

Minimum altitude over facility on final approach, 2000'.

Crs and distance, facility to airport, 241°—9.7 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.7 mi, make climbing right turn to 3000' and proceed to Crabapple Int via ATL VOR R-009.

NOTE: Approach authorized only during hours that Control Tower is in operation. No weather reporting facilities available. Air carrier use NA.

City, Atlanta; State, Ga.; Airport Name, DeKalb-Peachtree; Elev., 1002'; Fac. Class, BVOR; Indent., OCR; Procedure No. 1, Amdt. Orig.; Eff. Date, 6 June 1959

Pendleton LFR	PDT-VOR	Direct	4000	T-dn	300–1	300–1	200–1½
Pendleton LOM	PDT-VOR	Direct	4000	C-dn	500–1	500–1	500–1½
Int S crs Walla Walla LFR and R-061 Pendleton VOR.	PDT-VOR	Direct	4000	S-dn-7	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2
Cabbage Hill FM	PDT-VOR	Direct	4800				

Procedure turn N side W crs, 252° Outbnd, 072° Inbnd, 3500' within 10 miles. (Nonstandard due to terrain.) Minimum altitude over facility on final approach crs, 2600'.

Crs and distance, facility to airport, 072—3.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles, make left turn climbing to 4000' on R-231 within 20 miles.

City, Pendleton; State, Oreg.; Airport Name, Pendleton; Elev., 1493'; Fac. Class, BVOR; Indent., PDT; Procedure No. 1, Amdt. 3; Eff. Date, 6 June 1959; Sup. Amdt. No. 2; Dated, 22 Jan. 1955

				T-dn	300–1	300–1	300–1
				C-d	500–1½	500–2	500–2
				C-n	500–2	500–2	500–2
				A-dn	800–2	800–2	800–2

Radar terminal area transition altitude: 3500' within 10 miles of Rocky Mount Airport.

Procedure turn N side of crs, 267° Inbnd, 087° Outbnd, 1400' in 10 miles.

Minimum altitude over facility on final approach crs, 900'.

Crs and distance, facility to airport, 267—4.3.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles, climb to 1600' on R-267 within 20 miles.

AIR CARRIER NOTE: Sliding scale for take-off or landing NA.

City, Rocky Mount; State, N.C.; Airport Name, Rocky Mount; Elev., 97'; Fac. Class, VOR; Ident., RMT; Procedure No. 1, Amdt. 1; Eff. Date, 6 June 1959; Sup. Amdt. No. Orig.; Dated, 9 June 1955

PROCEDURE CANCELLED, EFFECTIVE 20 APRIL 1959, DUE TO DECOMMISSIONING OF FACILITY.

City, San Diego; State, Calif.; Airport Name, Lindbergh Field; Elev., 15'; Fac. Class, BVOR; Ident., SDA; Procedure No. 1, Amdt. 4; Eff. Date, 10 Jan. 1959; Sup. Amdt. No. 3; Dated, 10 Jan. 1959

SJP RBn	SJU VOR	Direct	1500	T-dn	300–1	300–1	200–1½
				C-dn	600–1	600–1	600–1½
				A-dn	800–2	800–2	800–2

Procedure turn teardrop, 094° Outbnd, 245° Inbnd, initial penetration 24,000' or below; penetration turn, left, 11,000' within 15 mi; complete penetration at 3000'.

Minimum altitude over facility on final approach crs, 600'.

Crs and distance, facility to airport, 274°—0.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mi of VOR, turn right, climb to 1000' on R-065 within 20 mi or, when directed by ATC, turn right, climb to 1500' on R-281 within 20 mi.

CAUTION: 330' radio tower 1.9 mi south of airport.

NOTE: This procedure for Military use only.

City, San Juan; State, P.R.; Airport Name, International; Elev., 9'; Fac. Class, BVOR; Ident., SJU; Procedure No. 2, Amdt. Orig.; Eff. Date, 6 June 1959

				T-dn*	300–1	300–1	200–1½
				C-dn*	400–1	500–1	500–1½
				S-d-13	400–1	400–1	400–1
				A-dn*	800–2	800–2	800–2

Procedure turn W side of crs, 312° Outbnd, 132° Inbnd, 1400' within 10 mi. Beyond 10 mi NA.

Minimum altitude over facility on final approach, 700'.

Crs and distance, facility to airport, 132°—3.1 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.1 mi, climb to 1300' on R-132 within 20 mi or, when directed by ATC, turn right, climb to 1200' on R-160 within 20 mi.

*Night operations authorized on Runway 17–35 only.

City, Victoria; State, Tex.; Airport Name, Victoria County; Elev., 121'; Fac. Class, VORTAC; Ident., VCT; Procedure No. 1, Amdt. Orig.; Eff. Date, 6 June 1959

4. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bridgeport LFR	HVN VOR	Direct	1500	T-d	300-1	300-1	200-½
				C-d	600-1	600-1	600-1½
				S-d-1	600-1	600-1	600-1
				A*	800-2	800-2	800-2

Procedure turn East side of crs, 205° Outbnd, 025° Inbnd, 1300' within 10 miles. Beyond 10 mi NA.
Minimum altitude over facility on final approach, 600'.
Crs and distance, breakoff point to approach end of Runway, 016°—0.4 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 miles, make a climbing right turn and climb to 1300' on R-205 within 10 miles of TVOR.
NOTES: Weather reporting by U.S. Weather Bureau 0700 to 1700 local time. Airport communication available on 122.8 from sunrise to sunset. No tower communication at airport. Contact *Westchester* approach control for ATC clearance. Medium intensity runway lights on all runways available upon prior request to Airport Manager.
*Authorized only during hours that weather is being reported.

City, New Haven; State, Conn.; Airport Name, New Haven; Elev., 15'; Fac. Class, TVOR (Nonfederal facility); Ident., HVN; Procedure No. TerVOR-1, Amdt. Orig.; Eff. Date, 6 June 1959

ROA LFR	Leslie RBn	Direct	4000	T-dn*	1000-2	1000-2	1000-2
Hollins VOR	Leslie RBn	Direct	4000	C-dn	1000-2	1000-2	1000-2
Goodes Int	Leslie RBn	Direct	4000	A-dn	2500-2	2500-2	2500-2
Bedford Int	Leslie RBn	Direct	4000				

Procedure turn North side of crs, 125° Outbnd, 305° Inbnd, 3600' within 10 miles of Leslie RBn.
Minimum altitude over Leslie RBn on final approach, 3000'. Descend to authorized minimums after passing Leslie RBn.
Crs and distance, Leslie RBn to airport, 305°—6.8 mi.
Crs and distance, Leslie RBn to Cloverdale RBn, 305°—4.9 mi.
Crs and distance, Cloverdale RBn to airport, 305°—1.9 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at the Cloverdale RBn, make climbing left turn to 3600' and proceed to the Leslie RBn.
NOTE: This procedure requires the following aids to be operating: Roanoke TVOR, Leslie RBn and Cloverdale RBn. Aircraft must be equipped to utilize the facilities.
*Takeoffs on Rnwy 33 and landings on Rnwy 15 NA at night.

City, Roanoke; State, Va.; Airport Name, Woodrum Field; Elev., 1174'; Fac. Class, VOR; Ident., ROA; Procedure No. 1, Amdt. Orig.; Eff. Date, 6 June 1959

5. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Jackson VOR via R-213	OM	Direct	1700	T-dn	300-1	300-1	200-½
Jackson LFR via crs 256	OM	Direct	1500	C-dn	500-1	500-1	500-1½
Int W crs Jackson LFR and NW crs ILS	OM	Direct	1500	S-dn*-11	200-½	200-½	200-½
Int S crs Jackson LFR and SE crs ILS	OM	Direct	2100	A-dn	600-2	600-2	600-2

Procedure turn S side NW crs, 288° Outbnd, 108° Inbnd, 1500' within 10 miles.
Minimum altitude at G.S. int inbnd, 1500'.
Altitude of G.S. and distance to appr end of rny at OM 1490—3.8, at MM 533—0.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn left, climb to 2000' on R-178 JAN VOR within 20 miles or, when directed by ATC, turn right, climb to 2100' on S crs JAN LFR.
NOTE: Tower 1051' MSL located 3.5 mi SW of airport.
*400-¾ required when glide slope not utilized.

City, Jackson; State, Miss.; Airport Name, Hawkins; Elev., 343'; Fac. Class, ILS; Ident., I-Jan; Procedure No. ILS-11, Amdt. 14; Eff. Date, 6 June 1959; Sup. Amdt. No. 13; Dated, 29 June 1957

Raleigh LFR	LOM	Direct	2000	T-dn	300-1	300-1	200-½
Raleigh VORTAC	LOM	Direct	2000	C-dn	400-1	500-1	500-1½
Int NW crs RDU-LFR and NE crs RDU ILS.	LOM	Direct	2000	S-dn-5*	200-½	200-½	200-½
				A-dn**	600-2	600-2	600-2

Radar terminal area transition altitudes: 2000' within 20 miles; 3000' within 25 miles Raleigh-Durham Airport.
Radar control must provide 3 miles or 1000' vertical separation; or 3 to 5 miles and 500' vertical separation from radio tower 1822' 17 miles SE Raleigh-Durham Airport.
Procedure turn N side of SW crs, 229° Outbnd, 049° Inbnd, 1700' within 10 mi. Beyond 10 mi NA.
Minimum altitude at G.S. int inbnd, 1600'.
Altitude of G.S. and distance to approach end of rny at OM 1565—3.8, at MM 640—0.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 1800' on R-041 of VOR within 15 mi or, when directed by ATC, turn left, climb to 2000' on R-309 of VOR.
*400-¾ required when glide slope not utilized.
**All installed components of the ILS must be operating otherwise alternate minima of 800-2 apply.

City, Raleigh; State, N.C.; Airport Name, Raleigh-Durham; Elev., 435'; Fac. Class, ILS; Ident., IRDU; Procedure No. ILS-5, Amdt. 3; Eff. Date, 6 June 1959; Sup. Amdt. No. 2; Dated, 1 Nov. 1958

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
RDU LOM	Leesville LF Int*	Direct	2000	T-dn	300-1	300-1	200-1½
RDU LFR	Leesville LF Int*	Direct	1700	C-dn	400-1	500-1	500-1½
				S-dn-23	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar terminal area transition altitudes: 2000' within 20 miles; 3000' within 25 miles Raleigh-Durham Airport.
Radar control must provide 3 miles or 1000' vertical separation; or 3 to 5 miles and 500' vertical separation from radio tower 1822' 17 miles SE Raleigh-Durham Airport.
Procedure turn N side of crs 049° outbnd, 229° inbnd, 1500' within 10 mi of Leesville LF Int.
No glide slope—altitude over Leesville Int. on final approach crs 1000'.
Crs and distance, Leesville Int to approach end Runway 23, 229°—4.4 mi.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 mi of Leesville Int, climb to 2000' on SW crs ILS (229) within 20 mi. When directed by ATC, turn right, climb to 2000' on NW crs RDU LFR (308), or on R-303 RDU, within 20 mi.
NOTE: This procedure authorized only for aircraft equipped to receive ILS and LFR simultaneously.
*Int N crs RDU-ILS and 360° brg RDU-LFR.

City, Raleigh; State, N.C.; Airport Name, Raleigh-Durham; Elev., 435'; Fac. Class, ILS; Ident., I-RDU; Procedure No. ILS-23, Amdt. 4; Eff. Date, 6 June 1959; Sup. Amdt. No. 3; Dated, 22 Nov. 1958

These procedures shall become effective on the dates indicated on the procedures.

(Secs. 313(a), 307(c); 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on May 14, 1959.

E. R. QUESADA,
Administrator.

[F.R. Doc. 59-4214; Filed, May 25, 1959; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[Amdt. 8]

PART 728—WHEAT

Subpart—Wheat Marketing Quota Regulations for 1958 and Subsequent Crop Years

EXCESS ACREAGE UTILIZATION DATES

The above document, published in the FEDERAL REGISTER on May 9, 1959 (24 F.R. 3747) was signed by Mr. Clarence D. Palmby, Associate Administrator, Commodity Stabilization Service, on May 5, 1959, instead of April 5, 1959.

WALTER C. BERGER,
Administrator,
Commodity Stabilization Service.

MAY 22, 1959.

[F.R. Doc. 59-4447; Filed, May 25, 1959; 9:05 a.m.]

PART 730—RICE

Subpart—1959-60 Marketing Year

DETERMINATION OF COUNTY NORMAL YIELDS FOR 1959 CROP

The above document, published May 9, 1959, 24 F.R., page 3747, was signed by Clarence D. Palmby, Associate Administrator, Commodity Stabilization Service, on May 5, 1959, instead of April 5, 1959.

WALTER C. BERGER,
Administrator,
Commodity Stabilization Service.

MAY 22, 1959.

[F.R. Doc. 59-4446; Filed, May 25, 1959; 9:05 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Nectarine Order 1]

PART 937—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 937.310 Nectarine Order 1.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 37 (7 CFR Part 937) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines as hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof, and adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such nectarines; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 15, 1959.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., May 27, 1959, and ending at 12:01 a.m., P.s.t., November 1, 1959, no handler shall handle any package or container of any variety of nectarines unless such nectarines grade at least U.S. No. 1: *Provided,* That any such variety of nectarines which otherwise grade at least U.S. No. 1 may be handled when not to exceed 25 percent of the surface of the individual fruit of the respective variety is affected by russeting which is not checked or cracked.

(2) When used herein, "U.S. No. 1" shall have the same meaning as set forth in the United States Standards for Nec-

tarines (§§ 51.3145 to 51.3159 of this title), and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 21, 1959.

G. R. GRANGE,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59–4396; Filed, May 25, 1959; 8:48 a.m.]

[Nectarine Order 2]

PART 937—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 937.311 Nectarine Order 2.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 37 (7 CFR Part 937) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL RERISTER (5 U.S.C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof, and adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such nectarines; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 15, 1959.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., May 27, 1959, and ending at 12:01 a.m., P.s.t., November 1, 1959, no handler shall handle any package or container of Sunrise, Princess, Grand River, John River, Early River, Rose, Red River, or Silver Lode nectarines unless:

(i) Such nectarines, when packed in a standard basket, are of a size not smaller than a size that will pack a 4 x 4 standard pack; or

(ii) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 108 nectarines in the respective lug box; or

(iii) Such nectarines, when packed in any container other than the containers specified in subdivisions (i) and (ii) of this subparagraph, measure not less than two (2) inches in diameter: *Provided,* That not to exceed ten (10) percent, by count, of the nectarines in any such container may fail to meet such diameter requirement.

(2) When used herein, "diameter" and "standard pack" shall have the same meaning as set forth in the United States Standards for Nectarines (§§ 51.3145 to 51.3159 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "No. 26 standard lug box," and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California, and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Sec. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 21, 1959.

G. R. GRANGE,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59–4397; Filed, May 25, 1959; 8:48 a.m.]

[Nectarine Order 3]

PART 937—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 937.312 Nectarine Order 3.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 37 (7 CFR Part 937) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. The Nectarine Administrative Committee at its meeting on May 15, 1959, concluded that misrepresentation of the variety and size of nectarines has contributed to disorderly marketing conditions for nectarines and has adversely affected returns to growers. Such meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation, as specified herein, were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such nectarines and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) After the effective time of this section, no handler shall handle any package or container of any variety of nectarines except in accordance with the following terms and conditions:

(i) Such nectarines, when place-packed in packages or containers in rows, shall, except as provided in this subparagraph, conform to the requirements of a standard pack;

(ii) The diameters of the smallest and largest nectarines in an individual package or container shall not vary more than

one-fourth inch in the case of nectarines measuring two inches in diameter and smaller nor more than three-eights inch in the case of nectarines measuring larger than two inches in diameter: *Provided,* That a total of not more than five percent, by count, of the nectarines in the package or container may fail to meet this requirement;

(iii) Each package or container of nectarines shall bear in plain sight and in plain letters, on one outside end, (*a*) the name of the variety, if known, or when the variety is not known, the words "unknown variety," and (*b*) the size description of the nectarines in accordance with the marking requirements of standard pack: *Provided,* That the numerical count marked on boxes, lugs, or cartons, within which nectarines are place-packed in rows, shall not vary more than three from the number of nectarines in such container; and

(iv) Whenever a regulation under this part prescribes the maximum number of nectarines of a specified variety that may be packed in a particular container, not to exceed 10 percent, by count, of such containers in any lot may contain a numerical count of such variety in excess of such maximum.

(2) When used herein, "standard pack" shall have the same meaning as set forth in the United States Standards for Nectarines (§§ 51.3145 to 51.3159 of this title); the term "lot" shall mean the total number of containers of nectarines of a particular size and variety included in one shipment; and all other terms shall have the same meaning as when used in the marketing agreement and order.

(c) *Effective time.* The provisions of this section shall become effective at 12:01 a.m., P.s.t., May 27, 1959.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 21, 1959.

G. R. GRANGE,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59–4398; Filed, May 25, 1959; 8:48 a.m.]

[Nectarine Order 4]

PART 937—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 937.313 Nectarine Order 4.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 37 (7 CFR Part 937) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof, and adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such nectarines and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 15, 1959.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 3, 1959, and ending at 12:01 a.m., P.s.t., November 1, 1959, no handler shall handle any package or container of Early Sun Grand, Sun Grand, Star Grand I, Star Grand II, Grand Haven, Red King, or Sun Flame nectarines unless:

(i) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 96 nectarines in the respective lug box; or

(ii) Such nectarines, when packed in any container other than in a No. 26 standard lug box, or in a No. 27 standard lug box, measure not less than two and one-eighth (2⅛) inches in diameter: *Provided,* That not to exceed ten (10) percent, by count, of the nectarines in any such container may fail to meet such diameter requirement.

(2) When used herein, "diameter" and "standard pack" shall have the same meaning as set forth in the United States Standards for Nectarines (§§ 51.3145 to 51.3159 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "No. 26 standard lug box," and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California, and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 21, 1959.

G. R. GRANGE,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59–4399; Filed, May 25, 1959; 8:48 a.m.]

[Nectarine Order 5]

PART 937—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 937.314 Nectarine Order 5.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 37 (7 CFR Part 937) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof, and adequate information

thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such nectarines and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on May 15, 1959.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., June 3, 1959, and ending at 12:01 a.m., P.s.t., November 1, 1959, no handler shall handle any package or container of Early Le Grand nectarines unless:

(i) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 88 nectarines in the respective lug box; or

(ii) Such nectarines, when packed in any container other than in a No. 26 standard lug box, or in a No. 27 standard lug box, measure not less than two and one-quarter (2¼) inches in diameter: *Provided,* That not to exceed ten (10) percent, by count, of the nectarines in any such container may fail to meet such diameter requirement.

(2) When used herein, "diameter" and "standard pack" shall have the same meaning as set forth in the United States Standards for Nectarines (§§ 51.3145 to 51.3159 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "No. 26 standard lug box," and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California, and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 21, 1959.

G. R. GRANGE,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-4400; Filed, May 25, 1959; 8:48 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Agricultural Marketing Service, Department of Agriculture

PART 203—STATEMENTS OF GENERAL POLICY UNDER THE PACKERS AND STOCKYARDS ACT

Statement of General Policy With Respect to Lamb Buying Practices

Pursuant to the authority vested in me by § 201.3 of the regulations (9 CFR 201.3) under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), a new part, Part 203, entitled "Statements of General Policy Under the Packers and Stockyards Act", is hereby added to Chapter II, Title 9, Code of Federal Regulations, and a statement of general policy with respect to lamb buying practices is hereby issued as § 203.1 of such part, to read as follows:

§ 203.1 Statement of general policy with respect to lamb buying practices.

(a) It has been brought to the attention of the Livestock Division, United States Department of Agriculture, that packers, dealers, and market agencies subject to the provisions of the Packers and Stockyards Act, are engaging in certain practices in connection with the purchase and sale of lambs in prominent lamb producing areas of the United States which are injurious to lamb producers. The practices relate to the discounting of prices by buyers in the purchase of heavy lambs.

(b) The following methods of buying lambs are considered to be unfair practices under the provisions of the Packers and Stockyards Act:

(1) A buyer limiting payment for lambs to a designated average weight and requiring the lamb producer to give any additional weight to the buyer without payment.

(2) A buyer subtracting weight from the true and actual weight of the lambs.

(c) The practices in paragraph (b) of this section result in misleading market information and the issuance of incorrect scale tickets, invoices, and other documents relating to the purchase and sale transaction. It is believed the provisions of the Packers and Stockyards Act, under Title II and Title III, prohibit all packers, dealers, and market agencies subject to the provisions of the Act from engaging in these practices.

(d) In addition, the Livestock Division has received complaints from lamb producers with respect to the practice of lamb buyers discounting prices paid for lambs where the weight of the lambs exceeds a specified average weight. One example of this practice is where a buyer agrees to purchase a lot of lambs at $21 per hundredweight, provided that the average weight is not in excess of 105 pounds, but requires a discount of the $21 per hundredweight price at the rate of 25 cents for each pound in excess of the 105 pounds. This type of buying practice results in the final sales price being made subject to a contingency based upon average weight. Where the weight is above the specified weight, the purchase price is not definite at the time the agreement to purchase is entered into, the discount to be applied is unknown until the lambs are weighed, and the final sales price, upon which payment to the lamb producer is based, can only be ascertained by weighing the lambs to the buyer. It is believed that this buying practice should be discontinued. This method of buying lends itself to unfair and deceptive practices under the Act since it has the tendency to mislead the producer with respect to the final sales price and can be used by a buyer to force a producer to take an unwarranted discount.

The foregoing statement of general policy shall become effective upon its publication in the FEDERAL REGISTER.

(Sec. 407, 42 Stat. 169; 7 U.S.C. 228; 9 CFR 201.3)

Done at Washington, D.C., this 21st day of May 1959.

ROY W. LENNARTSON,
Deputy Administrator, Agricultural Marketing Service.

[F.R. Doc. 59-4401; Filed, May 25, 1959; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7368]

PART 13—DIGEST OF CEASE AND DESIST ORDER

Ardley Fur Corp. et al.

Subpart—*Advertising falsely or misleadingly:* § 13.155 *Prices:* Exaggerated as regular and customary; fictitious marking. Subpart—*Invoicing products falsely:* § 13.1108 *Invoicing products falsely:* Fur Products Labeling Act. Subpart—*Misbranding or mislabeling:* § 13.1212 *Formal regulatory and statutory requirements:* Fur products Labeling Act. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1852 *Formal regulatory and statutory requirements:* Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Ardley Fur Corporation et al., New York, N.Y., Docket 7368, May 1, 1959]

In the Matter of Ardley Fur Corporation, a Corporation, and Norman Rawick, and Arthur Blass, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a New York City furrier with violating the Fur Products Labeling Act by failing to comply with the labeling and invoicing requirements; by advertising in letters to customers and otherwise which contained fictitious prices and represented exaggerated amounts as regular selling prices; and

by failing to maintain adequate records on which such pricing claims were based.

After acceptance of an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on May 1 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Ardley Fur Corporation, a corporation, and its officers, and Norman Rawick and Arthur Blass, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, and manufacture for introduction into commerce, or the sale, advertising, offering for sale, transportation or distribution in commerce, of fur products, or in connection with the sale, manufacture for sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Failing to affix labels to fur products showing:

(a) Information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in the required sequence.

(b) The item number or mark assigned to a fur product.

2. Setting forth on labels affixed to fur products:

(a) Information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder mingled with nonrequired information.

(b) Information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur products as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations.

(b) That the fur product contains or is composed of used fur, when such is the fact;

(c) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(e) The name and address of the person issuing such invoice;

(f) The name of the country of origin of any imported furs contained in a fur product;

(g) The item number or mark assigned to a fur product.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale, of fur products, and which:

1. Represents, directly or by implication, that the regular or usual prices of such products are any amount in excess of the prices at which respondents have usually and customarily sold such products in the recent regular course of business.

D. Making claims and representations respecting prices and values of fur products unless there are maintained by respondents full and adequate records showing the facts upon which such claims and representations are based.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: May 1, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-4377; Filed, May 25, 1959; 8:45 a.m.]

[Docket No. 7192]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Leon Fleisher and Fleisher Fur Co.

Subpart—*Advertising falsely or misleadingly:* § 13.155 *Prices:* Fictitious marking. Subpart—*Furnishing false guaranties:* § 13.1053 *Furnishing false guaranties:* Fur Products Labeling Act. Subpart—*Invoicing products falsely:* § 13.1108 *Invoicing products falsely:* Fur Products Labeling Act. Subpart—*Misbranding or mislabeling:* § 13.1212 *Formal regulatory and statutory requirements:* Fur Products Labeling Act. Subpart—*Misrepresenting oneself and goods*—Prices: § 13.1810 *Fictitious marking.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1852 *Formal regulatory and statutory requirements:* Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Leon Fleisher trading as Fleisher Fur Company, New York, N.Y., Docket 7192, April 25, 1959]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a New York City furrier with violating the Fur Products Labeling Act by failing to comply with labeling requirements; by setting forth on invoices and in advertising, prices which were fictitious; by failing to maintain adequate records as a basis for such pricing claims; and by furnishing a false guaranty that certain of their fur products were not misbranded, falsely invoiced, and falsely advertised.

After acceptance of an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist which became on April 25, 1959, the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Leon Fleisher, an individual trading as Fleisher Fur Company, or under any other name or names, and his representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or the manufacture for introduction, into commerce, or the sale, advertising, offering for sale, transportation or distribution, in commerce of fur products, or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

A. Misbranding fur products by setting forth on labels attached to fur products information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder which is mingled with nonrequired information.

B. Falsely or deceptively invoicing fur products by representing, directly or by implication, that the regular or usual price of any fur product is any amount which is in excess of the price at which respondent has usually and customarily sold such product in the recent regular course of his business.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products, which represents, directly or by implication, that the regular or usual price of any fur product is any amount which is in excess of the price at which respondent has usually and customarily sold such product in the recent regular course of his business.

D. Making claims or representations in advertisements that prices are reduced from regular or usual prices, unless respondent maintains full and adequate records disclosing the facts upon which such claims or representations are based.

E. Furnishing false guaranties that certain furs or fur products are not misbranded, falsely invoiced or falsely advertised, when there is reason to believe that such furs or fur products may be introduced, sold, transported or distributed in commerce.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That the respondent Leon Fleisher, an individual trading as Fleisher Fur Company, shall, within sixty (60) days after service upon

him of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: April 24, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-4378; Filed, May 25, 1959; 8:45 a.m.]

[Docket 7343]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Fort Jewelry Co., Inc., et al.

Subpart—*Furnishing means and instrumentalities of misrepresentation or deception:* § 13.1056 *Preticketing merchandise misleadingly.* Subpart—*Misbranding or mislabeling:* § 13.1280 *Price.* Subpart—*Misrepresenting oneself and goods*—Prices: § 13.1805 *Exaggerated as regular and customary;* § 13.1811 *Fictitious preticketing.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Fort Jewelry Company, Inc., et al., Providence, R.I., Docket 7343, April 25, 1959]

In the Matter of Fort Jewelry Company, Inc., a Corporation, and Samuel Forte, and Lena Forte, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a Providence, R.I., distributor of costume and men's jewelry to jobbers and distributors, with preticketing merchandise with tags bearing purported usual retail prices which were in fact fictitious and greatly exaggerated.

Following acceptance of an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on April 25 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That the respondents Fort Jewelry Company, Inc., a corporation, and its officers, and Samuel Forte, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of jewelry or any other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from directly or indirectly:

1. Representing, by preticketing, or in any other manner, that a certain amount is the customary or usual retail price of merchandise when said amount is in excess of the price at which said merchandise is customarily and usually sold at retail in the trade area or areas where such merchandise is offered for sale, sold or distributed.

2. Furnishing any means or instrumentality to others by and through which they may mislead the public as to the usual and customary prices of respondents' products.

It is further ordered, That the complaint be, and it hereby is, dismissed as to respondent Lena Forte.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That the respondents, Fort Jewelry Company, Inc., a corporation, and Samuel Forte, individually and as an officer of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order contained in said initial decision.

Issued: April 24, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-4379; Filed, May 25, 1959; 8:45 a.m.]

[Docket 7381]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Zipwell Fashions, Inc., and Jack Sosne

Subpart—*Invoicing products falsely:* § 13.1108 *Invoicing products falsely:* Fur Products Labeling Act. Subpart—*Misbranding or mislabeling:* § 13.1190 *Composition:* Fur Products Labeling Act; Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* Fur Products Labeling Act; Wool Products Labeling Act. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1852 *Formal regulatory and statutory requirements:* Fur Products Labeling Act; Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 68-68(c), 69f) [Cease and desist order, Zipwell Fashions, Inc., et al., Docket 7381, May 1, 1959]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a New York City manufacturer with violating the Wool Products Labeling Act by labeling as "100 percent wool" ladies' and misses' topcoats which contained a substantial quantity of fibers other than wool, and by failing in other respects to comply with the labeling requirements of the Act; and with violating the Fur Products Labeling Act by labeling products deceptively with respect to the names of animals producing certain furs, by labeling certain lamb products as "Polar Mouton", and by failing in other respects to comply with labeling and invoicing requirements.

Following acceptance of a consent order, the hearing examiner made his initial decision and order to cease and desist which became on May 1 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Zipwell Fashions, Inc., a corporation, and its officers, and Jack Sosne, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of garments or other "wool products" as such products are defined and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers included therein.

2. Failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such product exclusive of ornamentation not exceeding five per centum of said total weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five per centum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of such wool products of any non-fibrous loading, filling or adulterating matter;

(c) The name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

3. Failing to stamp, tag or label samples, swatches or specimens of wool products, which are used to promote or effect sales of such wool products in commerce with the information required under Paragraph 2 hereof, as provided by Rule 22 of the rules and regulations promulgated under the Wool Products Labeling Act of 1939.

4. Failing to separately set forth on the required stamp, tag, label or other means of identification the character and amount of the constituent fibers contained in the interlining of such wool products as provided in Rule 24 of the rules and regulations promulgated under the said Wool Products Labeling Act of 1939.

It is further ordered, That respondents Zipwell Fashions, Inc., a corporation, and its officers, and Jack Sosne, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the sale, advertising, offering for sale, transportation, or distribution in commerce of

any fur product, or in connection with the manufacture, sale, advertising, offering for sale, transportation or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:

(a) Falsely or deceptively labeling or otherwise identifying any such product as to the name or names of the animal or animals that produced the fur from which such products were manufactured.

(b) Failing to affix labels to fur products showing:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(2) That the fur product contains or is composed of used fur, when such is a fact;

(3) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur when such is a fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies or waste fur when such is a fact;

(5) The name, or other identification issued and registered by the Commission of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale in commerce, or transported or distributed it in commerce.

(c) Misrepresenting the zoological origin of the animal that produced the fur contained in a fur product.

2. Falsely or deceptively invoicing fur products by:

(a) Failing to furnish invoices to purchasers of fur products showing:

(1) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(2) That the fur product contains or is composed of used fur, when such is a fact;

(3) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is a fact;

(4) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is a fact;

(5) The name and address of the person issuing such invoice;

(6) The name of the country of origin of any imported fur contained in a fur product.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: May 1, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-4380; Filed, May 25, 1959; 8:46 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 59-16]

SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

PART 12—CERTIFICATION OF SEAMEN

SUBCHAPTER T—SMALL PASSENGER VESSELS (NOT MORE THAN 65 FEET IN LENGTH)

PART 187—LICENSING

Miscellaneous Amendments

Pursuant to the notice of proposed rule making published in the FEDERAL REGISTER on April 9, 1959 (24 F.R. 2742-2751), and Merchant Marine Council Public Hearing Agenda dated April 27, 1959, the Merchant Marine Council held a Public Hearing on April 27, 1959, for the purpose of receiving comments, views and data. The proposals considered were identified as Items I through XII, inclusive, and Item X contained proposed changes regarding personnel licensing.

This document is the third of a series covering the regulations and actions considered at the April 27, 1959, Public Hearing and annual session of the Merchant Marine Council. The first document, CGFR 59-17, contains the actions taken with respect to Item VIII regarding power-operated industrial trucks. The second document, CGFR 59-20, contains the actions taken with respect to Item XI regarding suspension or revocation proceedings involving licenses, certificates or documents issued to individuals.

This document contains the final actions taken with respect to Item X regarding personnel licensing. On the basis of the information received and comments made, changes were made in the regulations designated 46 CFR 10.10-17 (a), 10.10-19(a), 10.10-21(a), 10.10-23 (a) and 187.25-1(b). Therefore, the proposals as set forth in Item X, as revised, are adopted and included in this document.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), 167-9, dated August 3, 1954 (19 F.R. 5195), 167-14, dated November 26, 1954 (19 F.R. 8026), 167-20, dated June 18, 1956 (21 F.R. 4894), and CGFR 56-28, dated July 24, 1956 (21 F.R. 5659), to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendments are prescribed and shall become effective 90 days after the date of publication of this document in the FEDERAL REGISTER unless otherwise specifically provided in the text of the regulations:

Subpart 10.10—Profession Requirements for Engineering Officers' Licenses (Inspected Vessels)

1. Section 10.10-17(a) is amended by redesignating subparagraph (3) to (4) and by inserting a new subparagraph (3), to read as follows:

§ 10.10-17 Second assistant engineer; steam vessels.

(a) * * *

(3) Five years' service in the engine department of steam or motor vessels, 1 year of this required service may have been on motor vessels; 4 years and 6 months of which must have been as a qualified member of the engine department, 2 years and 6 months of which must have been as fireman, oiler, watertender, or junior engineer on steam vessels; or,

(4) While holding a license as second assistant engineer of motor vessels, either:

(i) Six months' service as third assistant engineer of steam vessels;

(ii) Six months' service as an observer second assistant engineer on steam vessels; or,

(iii) One year's service as oiler, watertender, or junior engineer of steam vessels.

2. Section 10.10-19(a) is amended by redesignating subparagraph (3) to (4) and by inserting a new subparagraph (3), to read as follows:

§ 10.10-19 Second assistant engineer; motor vessels.

(a) * * *

(3) Five years' service in the engine department of motor or steam vessels, 1 year of this required service may have been on steam vessels; 4 years and 6 months of which must have been as a qualified member of the engine department, 2 years and 6 months of which must have been as oiler or junior engineer on motor vessels; or,

(4) While holding a license as second assistant engineer of steam vessels, either:

(i) Three months' service as third assistant engineer of motor vessels;

(ii) Three months' service as observer second assistant engineer on motor vessels; or,

(iii) Six months' service as oiler or junior engineer of motor vessels.

3. Section 10.10-21(a)(1) is amended to read as follows:

§ 10.10-21 Third assistant engineer; steam vessels.

(a) * * *

(1) 3 years' service in the engine department of steam or motor vessels, one-third of this required service may have been on motor vessels; 2 years and 6 months of which must have been as a qualified member of the engine depart-

ment, 1 year and 6 months of which must have been as fireman, oiler, watertender or junior engineer on steam vessels; or,

4. Section 10.10–23(a)(1) is amended to read as follows:

§ 10.10–23 Third assistant engineer; motor vessels.

(a) * * *

(1) 3 years' service in the engine department of motor or steam vessels, one-third of this required service may have been on steam vessels; 2 years and 6 months of which must have been as a qualified member of the engine department, 1 year and 6 months of which must have been as oiler or junior engineer on motor vessels; or,

5. Section 10.10–27 is amended to read as follows:

§ 10.10–27 Service as engineroom watch electrician or refrigeration watch engineer.

An applicant for a raise of grade of engineer's license for steam or motor vessels may substitute service as engineroom watch electrician on electric drive steam or motor vessels or refrigeration watch engineer for other service required. The service shall be accepted on the basis of 2 months' service as watch electrician or refrigeration watch engineer to count as 1 month of required service. Such service shall not be substituted for more than one-half the service required on a license. This service as engineroom watch electrician or refrigeration watch engineer must have been acquired while the applicant was holding the license which is to be raised in grade.

Subpart 10.25—Registration of Staff Officers

6. Section 10.25–7(f) is amended to read as follows:

§ 10.25–7 General requirements.

* * * * *

(f) No certificate of registry as junior assistant purser or surgeon will be issued to any applicant unless he presents evidence that he has a commitment of employment as a member of the crew of a United States merchant vessel in a capacity covered by such certificate.

(R.S. 4405, as amended, 4462, as amended, 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438–4442, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 7, 53 Stat. 1147, as amended, secs. 7, 17, 54 Stat. 165, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 2, 68 Stat. 484, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 229, 214, 231, 233, 225, 237, 367, 247, 526f, 526p; 1333, 239b, 390b, 50 U.S.C. 198)

Subpart 12.02—General Requirements for Certification

Section 12.02–11(d)(2) is amended to read as follows:

§ 12.02–11 General provisions respecting merchant mariner's documents.

* * * * *

(d) * * *

(2) A merchant mariner's document issued to an engineer officer licensed for inspected vessels of over 2,000 horsepower will be endorsed for "any unlicensed rating in the engine department," and will be a certificate of service authorizing the holder to serve in any unlicensed capacity in the engine department without being required to present his license. If a licensed engineer qualifies as a lifeboatman, the further endorsement, "lifeboatman," will be placed on the merchant mariner's document.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4488; as amended, 4551, as amended, sec. 13, 38 Stat. 1169, as amended, secs. 1, 2, 49 Stat. 1544, 1545, sec. 7, 49 Stat. 1936, sec. 3, 54 Stat. 347, as amended, sec. 2, 68 Stat. 484, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 481, 643, 672, 367, 689, 1333, 239b, 50 U.S.C. 198)

Subpart 187.25—Specific Requirements for Ocean Operators

1. Section 187.25–1(b)(1) is amended to read as follows:

§ 187.25–1 General application.

* * * * *

(b) *Documentary evidence of services.* * * *

(1) An applicant who submits satisfactory documentary evidence that he has served as operator in charge of ocean or coastwise passenger sailing vessels, or as operator in charge of ocean or coastwise passenger non-self-propelled vessels, as the case requires, for a period of 1 year, shall be eligible, without professional examination, for a license as operator of ocean sail propelled vessels or non-self-propelled vessels of a class, route and tonnage commensurate with his experience under the same conditions as outlined in this paragraph, except that a physical examination shall be required if the applicant holds no license issued by the Coast Guard, and except that application for a license as operator of ocean non-self-propelled vessels must be filed before January 1, 1960.

2. Section 187.25–5(a) is amended to read as follows:

§ 187.25–5 Service requirements, mechanically propelled vessels.

(a) The minimum service required to qualify an applicant for examination for a license as operator of mechanically propelled vessels in ocean service is:

(1) Two years' service as a licensed motorboat operator of passenger motorboats, of which at least 1 year shall have been operating on ocean or coastwise waters; or

(2) Three years' deck department service in the operation of ocean or coastwise motorboats or small motor vessels; or,

(3) Two years' deck department service in the operation of ocean or coastwise motorboats or small motor vessels while holding a motorboat operator's license or a license as operator of mechanically propelled passenger-carrying vessels; or,

(4) One year's service as able seaman on ocean or coastwise steam or motor vessels, togeher with 1 year's deck department service in the operation of ocean or coastwise motorboats or small motor vessels, all of which service shall have been acquired while holding a certificate as "able seaman, any waters, unlimited," or as "able seaman, any waters, 12 months."

3. Section 187.25–10(a) is amended to read as follows:

§ 187.25–10 Service requirements, sail propelled vessels.

(a) The minimum service required to qualify an applicant for examination for a license as operator of sail propelled vessels in ocean service is:

(1) Two years' service as operator in charge of ocean or coastwise sail vessels carrying passengers; or,

(2) Three years' service in the operation of ocean or coastwise sail vessels.

4. Subpart 187.25 is amended by inserting a new § 187.25–12 to follow § 187.25–10, reading as follows:

§ 187.25–12 Service requirements, non-self-propelled vessels.

(a) The minimum service required to qualify an applicant for examination for a license as operator of non-self-propelled vessels in ocean service is:

(1) Two years' deck service on ocean or coastwise non-self-propelled vessels; or,

(2) One year's deck service on ocean or coastwise non-self-propelled vessels while holding a license as operator of non-self-propelled vessels upon waters other than ocean and coastwise; or,

(3) One year's deck service on ocean or coastwise moored non-self-propelled passenger vessels for a license restricted to such moored vessels.

(4) Where more than 50 percent of the service required by subparagraph (1) or (2) of this paragraph has been on non-towed or moored non-self-propelled vessels, the license shall be restricted to such vessels.

5. Subpart 187.25 is amended by inserting a new § 187.25–22 at the end thereof, reading as follows:

§ 187.25–22 Examination for operator of ocean non-self-propelled vessels.

(a) An applicant for a license as operator of ocean non-self-propelled vessels shall be required to pass a satisfactory examination as to his knowledge of the subjects listed in this paragraph:

(1) All subjects required by § 187.20–20 for a license as operator of non-self-propelled vessels upon waters other than ocean and coastwise.

(2) Such further examination as the Officer in Charge, Marine Inspection, may consider necessary to establish the applicant's proficiency for the route to be navigated.

(Sec. 3, 76 Stat. 152; 46 U.S.C. 390b)

Dated: May 19, 1959.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 59–4392; Filed, May 25, 1959; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Rev. S.O. 562, Amdt. 11]

PART 97—ROUTING OF TRAFFIC

Rerouting of Traffic, Appointment of Agent

At a Session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 18th day of May A.D. 1959.

Upon further consideration of the provisions of Revised Service Order No. 562 (14 F.R. 2697), as amended (15 F.R. 3105; 8651; 16 F.R. 4551; 17 F.R. 4675; 18 F.R. 3048; 19 F.R. 2966; 20 F.R. 3685; 21 F.R. 3650; 22 F.R. 3653; 23 F.R. 3641), and good cause appearing therefor:

It is ordered, That:

Section 97.562 *Rerouting of traffic, appointment of agent,* of Revised Service Order No. 562 be, and it is hereby, further amended by substituting the following paragraphs (a) and (d) hereof for paragraphs (a) and (d) thereof:

(a) Charles W. Taylor, Director, Bureau of Safety and Service, Interstate Commerce Commission, Washington 25, D.C., is hereby designated and appointed an Agent of the Interstate Commerce Commission and vested with authority to authorize diversion and rerouting of loaded and empty freight cars from and to any point in the United States whenever in his opinion an emergency exists whereby any railroad is unable to move traffic currently over its lines.

* * * * *

(d) *Expiration date.* This section shall expire at 11:59 p.m., May 25, 1960, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

(Sec. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies sec. 1(10–17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4))

It is further ordered, That this amendment shall become effective at 11:59 p.m., May 25, 1959; that a copy of this order and direction be served upon the State railroad regulatory bodies of each State, upon all common carriers by railroad subject to the Interstate Commerce Act, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59–4387; Filed, May 25, 1959; 8:47 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Parts 171, 172, 173, 176]

MINERALS OTHER THAN OIL AND GAS

Suspension of Operations and Production on Mining Leases

Basis and purpose. Notice is hereby given that pursuant to authority vested in the Secretary of the Interior by the Acts of May 11, 1938 (52 Stat. 347; 25 U.S.C. 396(a–g)); March 3, 1909 (35 Stat. 781–783; 25 U.S.C. 396); June 4, 1920 (41 Stat. 751); and July 27, 1939 (53 Stat. 1127), it is proposed to amend 25 CFR, Parts 171, 172, 173, and 176 as set forth below. The purpose of these additions is to expedite action in authorizing suspension of operations and production on mining leases of Indian trust land other than oil and gas.

The proposed amendments relate to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003); however, it is the policy of the Department of the Interior that wherever practicable the rule making requirements be observed voluntarily. Accordingly, interested persons may submit written comments, suggestions or objections with respect to the proposed amendments to the Commissioner of Indian Affairs, Department of the Interior, Washington 25, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 20, 1959.

1. A new § 171.14a is added, to read as follows:

§ 171.14a Suspension of operations and production on leases for minerals other than oil and gas.

The Secretary of the Interior or his authorized representative may authorize suspension of operating and producing requirements on mining leases for minerals other than oil and gas whenever during the primary term of the leases, it is considered that marketing facilities are inadequate or economic conditions unsatisfactory. Applications by lessees for relief from all operating and producing requirements on such mineral leases shall be filed in triplicate, in the office of the Regional Mining Supervisor of the Geological Survey and a copy thereof filed with the Superintendent. Complete information must be furnished showing the necessity for such relief. Suspension of operations and production shall not relieve the lessee from the obligations of continued payment of the annual rental or the minimum royalty.

2. A new § 172.15a is added to read as follows:

§ 172.15a Suspension of operations and production on leases for minerals other than oil and gas.

The Secretary of the Interior or his authorized representative may authorize suspension of operating and producing requirements on mining leases for minerals other than oil and gas whenever it is considered that marketing facilities are inadequate or economic conditions unsatisfactory. Applications by lessees for relief from all operating and producing requirements on such mineral leases shall be filed in triplicate in the office of the Regional Mining Supervisor of the Geological Survey and a copy thereof filed with the Superintendent. Complete information must be furnished showing the necessity for such relief. Suspension of operations and production shall not relieve the lessee from the obligations of continued payment of the annual rental or the minimum royalty.

3. A new § 173.16a is added to read as follows:

§ 173.16a Suspension of operations and production on leases for minerals other than oil and gas.

The provisions of § 172.15a of this subchapter are applicable to leases under this part.

4. A new § 176.23a is added to read as follows:

§ 176.23a Suspension of operations and production on leases for minerals other than oil and gas.

The provisions of § 172.15a of this subchapter are applicable to leases under this part.

[F.R. Doc. 59–4381; Filed, May 25, 1959; 8:46 a.m.]

[25 CFR Part 221]

FLATHEAD INDIAN IRRIGATION PROJECT

Operation and Maintenance Charges

Pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (Public Law 404, 79th Congress, 60 Stat. 238) and authority contained in the acts of Congress approved August 1,

1914; May 18, 1916; and March 7, 1928 (38 Stat. 583; 25 U.S.C. 385; 39 Stat. 142; and 45 Stat. 210; 25 U.S.C. 387) and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs to the Area Director (Bureau Order No. 551 Amendment No. 1; 16 F.R. 5454–7), notice is hereby given of the intention to modify §§ 221.24, 221.26, and 221.28 of Title 25, Code of Federal Regulations, dealing with irrigable lands of the Flathead Indian Irrigation Project, Montana, that are subject to the jurisdiction of the several irrigation districts, as follows:

Charges applicable to all irrigable lands of the Flathead Indian Irrigation Project that are included in the Irrigation District Organization and are subject to the jurisdiction of the three irrigation districts.

§ 221.24 Charges.

Pursuant to a contract executed by the Flathead Irrigation District, Flathead Indian Irrigation Project, Montana, on May 12, 1928, as supplemented and amended by later contracts dated February 27, 1929; March 28, 1934; August 26, 1936, and April 5, 1950, there is hereby fixed for the season of 1960 an assessment of $241,468 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Flathead Irrigation District. This assessment involves an area of approximately 74,136.3 acres; does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.26 Charges.

Pursuant to a contract executed by the Mission Irrigation District, Flathead Indian Irrigation Project, Montana, on March 7, 1931, approved by the Secretary of the Interior on April 21, 1931, as supplemented and amended by later contracts dated June 2, 1934, June 6, 1936, and May 16, 1951, there is hereby fixed, for the season of 1960 an assessment of $44,597.54 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Mission Irrigation District. This assessment involves an area of approximately 13,815.5 acres; does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.28 Charges.

Pursuant to a contract executed by the Jocko Valley Irrigation District, Flathead Indian Irrigation Project, Montana, on November 13, 1934, approved by the Secretary of the Interior on February 26, 1935, as supplemented and amended by later contracts dated August 26, 1936, and April 18, 1950, there is hereby fixed, for the season of 1960 an assessment of $17,836 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Jocko Valley Irrigation District. This assessment involves an area of approximately 6,274.7 acres; does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views, data or arguments in writing to Area Director, Bureau of Indian Affairs, 804 North 29th Street, Billings, Montana, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

PERCY E. MELIS,
Area Director.

[F.R. Doc. 59–4382; Filed, May 25, 1959; 8:46 a.m.]

NOTICES

FEDERAL POWER COMMISSION

[Docket No. G–18340]

COLORADO INTERSTATE GAS CO.

Notice of Application

MAY 19, 1959.

Take notice that Colorado Interstate Gas Company, address Colorado Springs National Bank Building, Colorado Springs, Colorado, filed on April 22, 1959, an application for a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act, authorizing the construction and operation of certain transmission pipeline facilities hereinafter described.

Applicant proposes to construct and operate a 180 horsepower skid-mounted compressor station in the Table Rock field of Wyoming in order to compress and deliver 20,000 Mcf of gas per day purchased in said field, into Applicant's Green River-Denver mainline, for sale to El Paso Natural Gas Company and/or to be made available to its Rocky Mountain markets.

The estimated cost of the proposed facility is $114,099, including overheads, to be met from current working funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, 441 G Street, N.W., Washington 25, D.C., in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10) on or before June 25, 1959. The application is on file with the Commission for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59–4374; Filed, May 25, 1959; 8:45 a.m.]

[Project No. 2244]

WASHINGTON PUBLIC POWER SUPPLY SYSTEM

Notice of Application For License

MAY 19, 1959.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Washington Public Power Supply System, of Kennewick, Washington, for license for a hydroelectric development, designated as Project No. 2244, to be constructed in Lake Creek at the outlet of Packwood Lake, in Lewis County, Washington, affecting lands of the United States within Gifford Pinchot National Forest. The project, to be known as the Packwood Hydroelectric Project, would consist of an overflow concrete weir structure with 2 foot flashboards in Lake Creek at the outlet of Packwood Lake, providing a maximum operation pool at elevation 2,858.5 feet and creating usable power storage of 3,500 acre-feet; intake structure with trash racks and slide-type headgate; a 75 inch diameter concrete pipeline 23,300 feet in length; surge chamber; 5,800 feet of steel penstock; outdoor-type powerhouse, containing a single impulse turbine, rated at 27,600 horsepower connected to a generator rated at 22,200 kva at 0.90 pf.; 5,600 feet of constructed tailrace channel; semi-automatic control equipment; transmission line and access roads.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day on which protests or petitions may be filed is July 5, 1959. The application is on file with the Commission for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59–4375; Filed, May 25, 1959; 8:45 a.m.]

[Project No. 2262]

CHUGACH ELECTRIC ASSOCIATION, INC.

Notice of Application For Preliminary Permit

MAY 19, 1959.

Public notice is hereby given that Chugach Electric Association, Inc., of Anchorage, Alaska, has filed application under the Federal Power Act (16 U.S.C. 791a–825r) for preliminary permit for proposed water-power Project No. 2262 to be known as the Grant Lake Hydroelectric Project and located on Grant Lake, Grant Creek and Lower Trail Lake, all tributary to Kenai Lake and River, on Kenai Peninsula in the Third Judicial Division, Alaska, about one mile east of Moose Pass on the Seward-Anchorage Highway and 50 miles south of Anchorage; affecting lands of the United States within the Chugach National Forest; and to consist of a dam 100 feet high and 900 feet long at the outlet of Grant Lake raising the normal

lake elevation 70 feet and providing 150,000 acre-feet storage; intake channel; intake; tunnel; penstock; surge tank; powerhouse with a 10,000-kilowatt generator; automatic control equipment; transmission line; access roads and other appurtenant equipment.

No construction is authorized under a preliminary permit. A permit, if issued, gives permittee, during the period of the permit, the right to priority of application for license while the permittee undertakes the necessary studies and examinations, including the preparation of maps and plans, in order to determine the economic feasibility of the proposed project, the means of securing the necessary financial arrangements for construction, the market for the project power, and all other information necessary for inclusion in an application for license, should one be filed.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last date upon which protests or petitions may be filed is July 2, 1959. The application is on file with the Commission for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-4376; Filed, May 25, 1959; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Order 551, Amdt. 50]

MICHAUD DIVISION, FORT HALL, IDAHO

Delegation of Authority

Order 551, as amended, is further amended by addition of a new section under the heading Functions Relating to Indian Irrigation Projects, to read as follows:

SEC. 204. *Inclusion of lands, Michaud Division, Fort Hall, Idaho.* The approval of contracts executed by landowners on approved form providing for the inclusion of their lands within the Michaud Division of the Fort Hall Indian Reservation Irrigation Project, Idaho.

GLENN L. EMMONS,
Commissioner.

MAY 18, 1959.

[F.R. Doc. 59-4383; Filed, May 25, 1959; 8:46 a.m.]

Bureau of Land Management

ARKANSAS

Notice of Proposed Withdrawal for Permanent Reservation of Certain Lands

The Office of the Department of the Army, Corps of Engineers, Washington, D.C. (SWLRO), through the District Engineers at Little Rock, Arkansas, has filed an amended application of BLM 048272, for the withdrawal of certain public land located in Carroll and Benton Counties, Arkansas, hereafter described, from all forms of appropriation, entry, or sale under the public land laws, including the United States Mining and and Mineral Leasing Laws, subject to valid existing rights.

The land is required for use in conjunction with the construction, operation, and maintenance of the Beaver Dam and Reservoir project, Arkansas.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Eastern States Land Office, Bureau of Land Management, Department of the Interior, Washington 25, D.C.

If circumstances warrant it, a hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The land involved in the application is:

T. 20 N., R. 27 W., sec. 15, NE¼NW¼—Carroll County.
T. 20, N., R. 27 W., sec. 20, SW¼NW¼—Benton County.
T. 19 N., R. 28 W., sec. 1, NE¼SE¼—Benton County.
T. 19 N., R. 28 W., sec. 18, E½SW¼—Benton County.
T. 20 N,, R. 28 W., sec. 36, NE¼SE¼—Benton County.

The area described comprises 240 acres.

H. K. SCHOLL,
Manager.

[F.R. Doc. 59-4384; Filed, May 25, 1959; 8:46 a.m.]

[Utah (I-25)]

UTAH

Notice of Proposed Withdrawal and Reservation of Lands

MAY 18, 1959.

The Bureau of Reclamation has filed an application, Serial No. U-031296, for the withdrawal of the lands described below, from location and entry under the public land laws, including the general mining laws, but not the mineral leasing laws. Grazing administration will be continued by the Bureau of Land Management.

The applicant desires the withdrawal of the lands for relocation of the Glen Canyon-Kanab Highway (Utah 259). When it is determined where the highway is to be located, an appropriate right-of-way will be filed and all lands excess to the needs of the applicant agency will be returned to the unappropriated, unreserved public domain.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, P.O. Box 777, Salt Lake City 10, Utah.

If circumstances warrant, a public hearing will be held at a convenient time and place which will be announced.

The determination of the Secretary of the Interior on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands requested for withdrawal are as follows:

SALT LAKE MERIDIAN, UTAH

T. 42 S., R. 1 W.
Sec. 7: SE¼SE¼;
Sec. 8: SW¼SW¼;
Sec. 18: Lots 3, 4, NE¼, SE¼NW¼, E½SW¼, N½SE¼, SW¼SE¼;
Sec. 19: Lot 1, NE¼NW¼;
Sec. 21: NE¼, N½SE¼;
Sec. 22, S½;
Sec. 23: Lots 4, 5, 6, 7;
Sec. 25: S½NW¼, S½;
Sec. 26: N½, NE¼SW¼, SE¼;
Sec. 27: NE¼, N½NW¼.
T. 42 S., R. 2 W.
Sec. 13: E½SE¼;
Sec. 24: NE¼NE¼.

The above area aggregates 2,641.29 acres.

EVAN L. RASMUSSEN,
Acting State Supervisor.

[F.R. Doc. 59-4385; Filed, May 25, 1959; 8:47 a.m.]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

The Department of the Army has filed an application, Serial Number A.048797 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including mining but excluding the mineral leasing laws. The applicant desires the land for use of the Alaska National Guard for an armory and headquarters site.

For a period of 60 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Anchorage Operations Office, Mailing: 334 East Fifth Avenue, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

Dillingham Area

Beginning at a point on the east line of U.S. Survey No. 2262, which point is 250 feet

N. 0°06' E. of Corner No. 18 of U.S. Survey No. 2732 A and B; thence N. 89°54' W. 148 feet; thence N. 0°06' E. 120 feet; thence S. 89°54' E. 148 feet to the east line of U.S. Survey No. 2262; thence along said east line S. 0°06' W. 120 feet to the Point of Beginning.

Containing 0.41 acre more or less.

L. T. MAIN,
Operations Supervisor,
Anchorage.

[F.R. Doc. 59-4390; Filed, May 25, 1959; 8:47 a.m.]

ALASKA

Amended Notice of Proposed Withdrawal and Reservation of Lands

The Department of the Army has filed an application, Serial Number F-022929, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws.

The applicant desires the land for missile test fire range. The applicant requests withdrawal for only a three-month period of each year, tentatively set from 15 December to 15 March, which time would be the least likely to interfere with civilian use of the area. The remaining months of the year the land could be used for civilian activities. The withdrawal is being requested for a ten-year period with option of renewal for an additional five years.

For a period of sixty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 516 Second Avenue, Fairbanks, Alaska.

All submittals should be in triplicate.

The proposed withdrawal and reservation is subject to the terms and conditions of the Act of February 28, 1958 (72 Stat. 27). This law prohibits withdrawals and reservations of this type except by Act of Congress. Any comments, suggestions, or objections submitted as a result of this notice will be made part of the record and will be forwarded to the Department of the Army for information and to Congress for its use during consideration of any legislation which may be introduced to effect the proposed withdrawal or reservation.

The lands involved in the application are:

Fairbanks Area

A tract of land located approximately 40 miles east of Fairbanks, State of Alaska, more specifically described as follows:

Beginning at a point identical with the approximate intersection of latitude 64°47' 10" N., and longitude 146°10'24" W.; thence West 9 miles, more or less, to approximate latitude 64°47'00" N., longitude 146°28'17" W.; thence Northeasterly 63 miles, more or less, to approximately latitude 65°11'34" N., longitude 144°29'12" W.; thence Southeasterly 20 miles, more or less, to approximately latitude 64°50'10" N., longitude 144°14'00" W.; thence Southwesterly 58 miles, more or less, to approximately latitude 64°39'45" N., longitude 146°10'24" W.; thence North 9 miles, more or less, to the Point of Beginning.

Containing 607,800 acres, more or less.

RICHARD L. QUINTUS,
Operations Supervisor,
Fairbanks.

[F.R. Doc. 59-4405; Filed, May 25, 1959; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 126]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 21, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61895. By order of May 15, 1959, the Transfer Board approved the transfer to Joseph E. Wiley, Delta, Pa., of Certificate in No. MC 105441, issued July 21, 1949, to James E. Westerman, Delta, Pa., authorizing the transporation of: Fresh fruits and vegetables over irregular routes from Delta, Pa., and points in Pa., within 15 miles of Delta, to Baltimore, Md., and empty cans, fertilizer, and animal feeds, over irregular routes from Baltimore, Md., to Delta, Pa.

No. MC-FC 61962. By order of May 15, 1959, the transfer Board approved the transfer to Lock City Transportation Company, A Corporation, Menominee, Mich., of Certificates in Nos. MC 4761, MC 4761 Sub 1, MC 4761 Sub 3, MC 4761 Sub 5, MC 4761 Sub 6, MC 4761 Sub 7, MC 4761 Sub 8 and MC 4761 Sub 11, issued May 2, 1942, October 21, 1942, January 18, 1950, February 28, 1950, October 15, 1951, August 27, 1951, July 1, 1953, and March 24, 1958, respectively, to John F. Stang, doing business as Lock City Transportation Co., Menominee, Mich., authorizing the transportation of: various commodities between points in Alabama, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania, Tennessee, West Virginia and Wisconsin. Adolph E. Solie, 715 First National Bank Building, Madison 3, Wis., for applicants.

No. MC-FC 62002. By order of May 15, 1959, the Transfer Board approved the transfer to Lloyd Michael, doing business as Lloyd Michael Mover, New Lebanon, Ohio, of the operating rights in Certificate No. MC 50487, issued November 6, 1957, to Bessie Michael, doing business as Michael Movers, Dayton, Ohio, authorizing the transportation of household goods, between Dayton, Ohio, and points within 20 miles of Dayton, on the one hand, and, on the other, points in Missouri, Indiana, Michigan, Kentucky, Tennessee, West Virginia, Maryland, New Jersey, New York, Pennsylvania, Wisconsin, Iowa, and the District of Columbia. Charles Wharton Slicer, 724 Third National Building, Dayton 2, Ohio, for applicants.

No. MC-FC 62079. By order of May 15, 1959, the Transfer Board approved the transfer to Klump Transfer Co., Inc., 1009 West 17th Street, Kansas City, Missouri, of the operating rights in Certificate No. MC 44748, issued October 25, 1943, to Fred E. Kuebler and Albert Kuebler, a Partnership, doing business as Klump Transfer, 1009 West 17th Street, Kansas City, Missouri, authorizing the transportation of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Kansas City and North Kansas City, Mo., and Kansas City, Kans., and points within ten miles of the points named.

No. MC-FC 62088. By order of May 18, 1959, the Transfer Board approved the transfer to Edward J. Brink, doing business as Ferguson Grain Co., Wykoff, Minnesota, of Certificate in No. MC 115305, issued December 9, 1959, to Paul W. Ferguson, Wykoff, Minnesota, authorizing the transportation of animal and poultry feed from New Richmond, Wisconsin, to points in Minnesota. A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn.

No. MC-FC 62098. By order of May 15, 1959, the Transfer Board approved the transfer to Wagner, Mills, Inc., of Schuyler, Nebr., of Certificate No. MC 90144 and Permit No. MC 111011, issued August 26, 1958 and December 9, 1957, respectively, in the name of Bracy, Inc., of Hutchinson, Kans., authorizing the transportation (1) as a common carrier of general commodities, including household goods, but excluding commodities in bulk, over regular routes, between Weston, Nebr., and Omaha, Nebr.; household goods and emigrant movables, between Weston, Nebr., and points within 20 miles thereof, and Bradshaw, Nebr., and points within 25 miles thereof, on the one hand, and, on the other, points in, Iowa, Kansas, Missouri, and South Dakota; livestock and agricultural commodities, between Weston and Bradshaw, Nebr., and points within 25 miles of each city, on the one hand, and, on the other, points in Iowa; and various specified commodities, from points in Iowa to points in Nebraska, and from points in Kansas to points in Iowa, Nebraska and Illinois; and (2) as a contract carrier of animal and poultry feed and feed compounds, animal and poultry medicines and tonics, insecticides, and dry earth paint, in quantities of 20,000 pounds or more, and the same commodities without weight restriction, between Quincy, Ill., on the one hand, and, on the other, points in eight Kansas counties; mineral mixture for livestock or poultry feeding, animal and poultry

tonics, or medicines, animal and poultry feed, insecticides (other than agricultural), dry earth paint, and advertising matter, from Quincy, Ill., to points in Riley County, Kans.; and damaged shipments on return. C. Zimmerman, 503 Schweiter Building, Wichita 2, Kansas for applicants.

No. MC–FC 62172. By order of May 15, 1959, the Transfer Board approved the transfer to Dard's Moving & Storage Corp., New York, N.Y., of that portion of the operating rights in Certificate No. MC 100011, issued February 5, 1951, authorizing the transportation, over irregular routes, of household goods, between New York, N.Y., on the one hand, and, on the other, points in New Jersey, New York, Pennsylvania, Connecticut, and Massachusetts, and of the operating rights in Certificate No. MC 100011 Sub 1, issued February 10, 1947, authorizing the transportation, over irregular routes, of household goods, between New York, N.Y., on the one hand, and, on the other, points in Delaware, Maryland, Rhode Island, and the District of Columbia. Both certificates were issued to Frank Catalano, doing business as Dard's Express, New York, N.Y. David Brodsky, 1776 Broadway, New York 19, N.Y., for applicants.

No. MC–FC 62180. By order of May 15, 1959, the Transfer Board approved the transfer to Carmello F. Catalano, doing business as Dard's Express, New York, N.Y., of that portion of the operating rights in Certificate No. MC 100011, issued February 5, 1951, authorizing the transportation, over irregular routes, of new and used furniture, from New York, N.Y., to points in New York and those in Bergen, Essex, and Passaic Counties, N.J. David Brodsky, 1776 Broadway, New York 19, N.Y., for applicants.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59–4388; Filed, May 25, 1959; 8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 21, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 35442: *Iron and steel articles—Interstate points to Corpus Christi, Tex.* Filed by Southwestern Freight Bureau, Agent (No. B–7547), for interested rail carriers. Rates on iron and steel articles, as described in the application, straight or mixed carloads from specified points in Colorado, Illinois, Minnesota, Missouri, Oklahoma, and Wisconsin to Corpus Christi, Tex.

Grounds for relief: Competition by water carriers from origins reached by water and market competition from other origins.

Tariff: Supplement 49 to Southwestern Freight Bureau tariff I.C.C. 4308.

FSA No. 35443: *Canned potatoes—Louisiana and Texas points to southwest.* Filed by Southwestern Freight Bureau, Agent (No. B–7550), for interested rail carriers. Rates on canned potatoes (other than sweet), carloads from points in Louisiana (west of the Mississippi River), also Baton Rouge, La., points in Texas and Texarkana, Ark.,-Tex. to points in Arkansas, Kansas, Louisiana (west of the Mississippi River), also Baton Rouge, La., and Natchez, Miss., Missouri, Oklahoma and Texas.

Grounds for relief: Short-line distance formula in connection with rates on additional canned goods.

Tariff: Supplement 70 to Southwestern Freight Bureau tariff I.C.C. 4042.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59–4389; Filed, May 25, 1959; 8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour and Public Contracts Divisions

[Administrative Order 519]

SPECIAL INDUSTRY COMMITTEE NO. 3 FOR AMERICAN SAMOA

Appointments To Investigate Conditions and Recommend Minimum Wages; Notice of Hearing

Pursuant to authority under the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U.S.C. 201 et seq.) and Reorganization Plan No. 6 of 1950 (3 CFR, 1950 Supp., p. 165), I hereby appoint, convene, and give notice of the hearing of Special Industry Committee No. 3 for American Samoa to be composed of the following representatives:

For the public: Nathan Cayton, Chairman, Wash., D.C.; Mikolao I. Tuiteleleapaga, Pago Pago, American Samoa.

For the employees: George J. Richardson, Wash., D.C.; Moasegi T. Satele, Pago Pago, American Samoa.

For the employers: Donald P. Loker, Terminal Island, Calif.; Harold E. Morgan, Pago Pago, American Samoa.

I hereby refer to this industry committee the question of the minimum wage rate or rates to be paid under paragraph 6(a)(3) of the act to employees in American Samoa who are engaged in commerce or in the production of goods for commerce. The industry committee shall investigate conditions in the industries in American Samoa and the committee, or any authorized subcommittee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the act.

The committee will meet in executive session to make appropriate decisions concerning the proceedings at 10 a.m. on July 3, 1959, and commence its public hearing at 2 p.m. on July 3, 1959, in the Legislative Hall, Pago Pago, American Samoa.

In order to reach as rapidly as is economically feasible the objective of the minimum wage of $1 an hour prescribed in paragraph (1) of section 6(a) of the Act, the committee will recommend to the Administrator the highest minimum rate or rates of wages which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in any industry in American Samoa and will not give any industry in American Samoa a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands and American Samoa. Where the committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in an industry than may be determined for other employees in that industry, the committee shall recommend such reasonable classifications within that industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate than can be determined for it, under the principles set forth herein, which will not substantially curtail employment in such classification and will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classifications, and in determining the minimum wage rates for such classifications, the committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

The Administrator shall prepare an economic report containing such data as he is able to assemble pertinent to the matters referred to the committee. Copies of such economic report may be obtained at the Office of the Governor, Pago Pago, American Samoa, and at the National Office of the Wage and Hour Division, United States Department of Labor, Washington, D.C., as soon as it is completed and prior to the hearing. The committee will take official notice of the facts stated in such economic report to the extent they are not refuted by evidence received at the hearing.

The procedure of this industry committee will be governed by the provisions of Title 29, Code of Federal Regulations, Part 511. Copies of this part of the regulations will be available at the Office of the Governor in Pago Pago, American

Samoa. The proceedings will be conducted in English but in the event a witness should testify in Samoan, an interpreter will be provided. As a prerequisite to participation as witnesses or parties interested persons shall file nine copies of a prehearing statement at the aforementioned Office of the Governor of American Samoa and two copies at the Office of the Administrator, Wage and Hour Division, United States Department of Labor, Washington, D.C., Each prehearing statement shall contain the data specified in section 511.8 of the regulations and shall be filed not later than June 12, 1959. If such statements are sent by airmail between American Samoa and the mainland, such filing shall be deemed timely if postmarked within the time provided.

Signed at Washington, D.C., this 21st day of May 1959.

JAMES T. O'CONNELL,
Acting Secretary of Labor.

[F.R. Doc. 59-4393; Filed, May 25, 1959; 8:48 a.m.]

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